

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

SERGEANT NATHAN D. CRISP
FORMER USAF SECURITY POLICEMAN
1750 RACQUET CLUB CIRCLE
LAWRENCEVILLE, GA 30043
nathancrisp@yahoo.com
404-933-0806
PLAINTIFF -PRO SE

CIVIL ACTION NUMBER

THE UNITED STATES CONSTITUTION

THE CONSTITUTION OF GEORGIA

 $\bar{V}_S.$

CLASS ACTION

THE STATE OF GEORGIA

JURY TRIAL DEMAND

STATE EMPLOYEE SCOT W. SCHUNK
GWINNETT COUNTY POLICE

STATE EMPLOYEE ADA TOOLE
GWINNETT COUNTY
ASSISTANT DISTRICT ATTORNEY

STATE EMPLOYEE LAURA TATE
MAGISTRATE COURT JUDGE,
GWINNETT COUNTY

**STATE EMPLOYEE
JAMES C. CHAMPLIN IV
G.A. BAR NO. 853410
ASST. ATTORNEY GENERAL**

GWINNETT COUNTY, GEORGIA

MURRAY J. WEED
SENIOR ASSISTANT GWINNETT COUNTY
G.A. Bar No. 745450

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

MAY 24 2022

KEVIN P. WEIMER, Clerk
By: Deputy Clerk

1.

Complaint

COMES NOW Sgt. Nathan D. Crisp in the name of the UNITED STATES AND GEORGIA CONSTITUTIONS files this complaint against the Defendants. In support thereof, Sgt. Crisp states as follows:

2.

Preliminary Statement

“Although this article focuses on conspiracies to deny constitutional rights protected by the fourteenth amendment, the analysis put forth here is also applicable to § 1985(3) conspiracies **to deny constitutional rights protected by other amendments**. *See, e.g.,* Murphy v. Mount Carmel High School, 543 F.2d 1189, 1194 (7th Cir. 1976).”

The Defendants are engaged in multiple criminal conspiracies 42 U.S. Code § 1985, 42 U.S. Code § 1986, 18 U.S. Code § 242, 18 U.S. Code § 241, Aiding and Abetting 18 U.S. Code § 2. Principals, 18 U.S. Code § 3. Accessory after the fact, and 18 U.S. Code § 4. Misprision of felony to violate multiple, Federal, State, and International Treaty rights of this Sgt. Crisp.

3.

Claims And Federal Rule Of Civil Procedure 8(A)(2)

This action is taken under the UNITED STATES AND GEORGIA CONSTITUTIONS, FEDERAL LAWS, GEORGIA CONSTITUTION, STATE LAWS, AND THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS. Treaty Series, 999, 171. Bibliography: The United Nations General Assembly. For the vindication of multiple Federal, State, and International rights violations, criminal law violations and criminal conspiracies.

4.

Jurisdiction And Venue

Action under Federal Rules of Civil Procedure 8(a)(1): This Court has subject matter and original jurisdiction over this action pursuant to 28 U.S.C. 1331 and 1343 because this action is

brought under: the Civil Rights Act of 1871, 42 U.S.C. 1983, International Covenant on Civil and Political Rights, Treaty Series, 999, 171. Bibliography: The United Nations General Assembly, 42 U.S. Code § 1985, 42 U.S. Code § 1986, 18 U.S. Code § 242, 18 U.S. Code § 241, U.S. Const 1st, 4th, 5th, and 9th and 14th Amendments, 42 U.S.C. 1983 (Gwinnett County) and multiple Federal, State and International criminal laws as well.

5.

This Court has supplemental jurisdiction over Plaintiff state law claims under 28 U.S.C. 1367 because they are so related to the Federal claims that they form part of the same case or controversy under Article III of the United States Constitution. The United States Constitution Article III: Judicial, Section 2- The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States.

6.

Georgia Jury Trial(s) Demands

“O.C.G.A. 16-14-6 (2010) (c) Any person who is injured by reason of any violation of Code Section 16-14-4 The defendant or any injured person may demand a trial by jury in any civil action brought pursuant to this Code section.”

and

Additionally, Sgt Crisp demands a jury trial which **MUST** occur when the state of Georgia is sued GA Code 50-21-29.

7.

Venue Is Proper In This District

Under 28 U.S.C. 1391 because at least one Defendant resides in this judicial district. This District also is an appropriate venue for this action under 28 U.S.C. 1391(b)(2) because all the events or omissions giving rise to the claims asserted herein occurred in this judicial district.

8.

This Action Is Not A Res Judicate Or A Vexatious Litigation

With the exception Gwinnett County and SCOT W. SCHUNK were served in closed and without resolution Federal Case 1:18-CV-2619. Of course, these Defendants can motion for Judge Ross to open the case. Additionally, even if the case was resolved - the complete and total lack of all jurisdictions was not a matter before that court. Same Defendants in but this action is for different criminal acts. All other criminal Defendants in this action are not served in any previous action by this Sgt. Crisp.

And

The State of Georgia and Gwinnett County G.A. are Defendants in civil action case 1:21-CV-00175 – AT. The State and County are Defendants in this action for their criminal acts taken to specifically to aid and abet the other Defendants named herein specifically. The State and County are the same Defendants in 1:21-CV-00175 – AT but this is for different actions.

And

Sgt. Crisp's many claims in both 1:18-CV-2619 and 1:21-CV-00175 – AT have not been answered and avoided by the Defendants and there are clear acts of bad faith on the part of the District Court Judges and the Defendants fully documented herein.

9.

PLEMANARY STATEMENT

This Civil action is brought to defend the U.S. and G.A. Constitutions against these Anti-Constitutional Ruling Class Defendants and Co-Conspirators. To **PROTECT OUR MILITARY AND NATIONAL SECURITY FROM THESE CRIMINALIZERS OF MILITARY SERVICE – TO PREVENT A NATIONAL SUICIDE!** To restore Sgt. Crisp Constitutional Rights and expose the MULTIPLE criminal conspiracies against Sgt. Crisp' Constitutionals Rights. Sgt Crisp Incorporates the following actions into this action: GA State 18-B-01208-10, United States Court Of Appeals Eleventh Circuit Appeal Number 21-14190-Cc,

and United States District Court For The Northern District Of Georgia Atlanta Division
Conspirator Totenberg's and Ross' cases 1:21-cv-00175-At and 1:18-CV-2619.

10.
This Case Is Timely
In Fact, It Is Impossible For This Case Not To Be Timely
There Is No Statute Of Limitations

"Jurisdiction can be challenged at any time, even on final determination." *Basso V. Utah Power & Light Co.*, 495 2nd 906 at 910. "The law provides that once the State and Federal Jurisdiction has been challenged, it must be proven." *Main V. Thiboutot*, 100 S. Ct. 2502 (1980);
and

"Once jurisdiction is challenged, it must be proven." *Hagans V. Lavine*, 415 U.S. 533;
and

"Where there is absence of jurisdiction, all administrative and judicial proceedings are a nullity and confer no right, offer no protection, and afford no justification, and may be rejected upon direct attack." *Thompson V. Tolmie*, 2 Pet. 157, 7 L. Ed. 381; *Griffith V. Frazier*, 8 Cr. 9, 3 L.Ed. 471;
and

"The proponent of the rule (Defendants) has the burden of proof." Title 5 U.S.C., Sec. 556(d);
and

"Let it be known, until such a time as written proof of jurisdiction is demonstrated (under oath) and filled in the court record of this case, (Sgt. Crisp) shall be entitled to the conclusive presumption that lawful jurisdiction is lacking in Personam and In Rem. Let this statement serve as Constructive Notice that this common-law constitutional entity, in the eyes of the Law, intends to prosecute to the fullest extent of the Law anyone who infringes its rights as "officers of the court have no immunity, when violating a constitutional right, from liability, for they are deemed to know the law, *Owens V. City of Independence*, 448 U.S. .1, 100 S. Ct. 2502; and *Hafer V. Melo*, 502 U.S. 21."

11.
Sgt. Crisp Need Not Provide Any Notice To The County Or The State Of Georgia

Judge Totenburg lies again-

"To the extent that Plaintiff asserts any state law claims against Gwinnett County, he has not demonstrated that he complied with state ante litem notice requirements." Exhibit 8. Page 24. Para. 2.

Judge Totenberg uses the lack of *ante litem* notice to make her materially false Judgments. No *ante litem* notice is required for Gwinnett County.

Sgt. Crisp cannot be forced to pursue a futile administrative remedy. *WMM Properties v. Cobb County*, 255 Ga. 436, 440 339 S.E.2d 252 (1986) or if the defect urged goes to the power of the agency (State and Gwinnett County itself) to take the action that is being challenged. *Accord Glynn County Bd. of Educ. v. Lane*, 261 Ga. 544, 546, 407 S.E.2d 754 (1991). A county has no immunity for violating a state constitutional right. *Middlebrooks v. Bibb County*, 261 Ga. App. 382, 582 S.E.2d 539 (2003). State law sovereign immunity does not apply to actions brought under 42 U.S.C. § 1983; "*Davis v. City of Roswell*, 250 Ga. 8, 9, 295 S.E.2d 317 (1982) (where a federal right of action is asserted, it is controlled by federal law; accordingly, "the supremacy clause of the Constitution prevents us from construing the federal rule to permit a state immunity defense"); *IBM v. Ga. Dep't of Admin. Servs.*, 265 Ga. 215, 453 S.E.2d 706 (1995) (no sovereign immunity from an injunction) (citing *Chilivis v. National Distributing Co.*, 239 Ga. 651, 654, 238 S.E.2d 431 (1977))." "No sanctions can be imposed absent of **proof of jurisdiction.**" *Standard V. Olsen*, 74 S. Ct. 768; Title 5 U.S.C., Sec. 556 and 558(b); "Where there is **absence of jurisdiction**, all administrative and judicial proceedings are a nullity and confer no right, **offer no protection (Notice)**, and afford no justification, and may be rejected upon direct attack." *Thompson V. Tolmie*, 2 Pet. 157, 7 L. Ed. 381; *Griffith V. Frazier*, 8 Cr. 9, 3 L.Ed. 471;

12.

Pseudo- Jurisdiction/Immunity Criminal Conspiracy 42 U.S.C. § 1985/86 And Title 18 Section 241/ 242

The Defendants and other Conspirators are engaged in multiple conspiracies to violate multiple God- Given Federal, State, and International rights of this Sgt. Crisp – "they are endowed by their Creator with certain unalienable Rights..." *Declaration of Independence.*

12.1

Defining The State Conspirators

The State Of Georgia, State Employee Scot Schunk Gwinnett County Police, State Employee Daniel J. Porter - Former Gwinnett County District Attorney, State Employee Warren Davis Gwinnett County Superior Court Judge, State Employee Brittanie Browning Assistant Attorney General Georgia, **State Employee James C. Champlin IV Bar No. 853410 Asst. Attorney General**, Gwinnett County, Georgia, Murray J. Weed Senior Assistant Gwinnett County G.A. Bar No. 745450, State Employee ADA Toole Gwinnett County Assistant District Attorney, State Employee Laura Tate Magistrate Court Judge, Gwinnett County.

12.2

The State Of Georgia Is Sued

The Fiction Of Georgia State Immunity

“In every stage of these Oppressions We have Petitioned for Redress in the humblest terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.”

The Declaration of Independence

“In London, Sovereign King Charles I is beheaded for treason on **January 30, 1649.**” Georgia was a colony of the British Empire at the time and after Charlie’s head rolled so ended Sovereign immunity forever. Amendment IX The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

and

“July 4th, 1776 The United States Declares Independence from the Absolute Sovereign King George III.”

and

The 14th Amendment

No Jurisdiction = No Immunity

No State shall make or enforce any law which shall abridge the privileges or

IMMUNITIES of citizens of the United States.

Sgt. Crisp has Immunity. Not Georgia, because they violated Sgt. Crisp’s Free-Speech Immunity.

And

Georgia Amendment 2, 2020 Election. The people **waived the state of Georgia’s sovereign immunity** and allowing residents to seek declaratory relief from state or local laws that violate the Constitution of Georgia, the U.S. Constitution, or state law.

“Governments are instituted among Men, deriving their just powers from the consent of the governed, –That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to **ALTER** or to abolish it, and to institute new Government,”

The Declaration of Independence

Why did the General Assembly with a 100% vote to waive Georgia Immunity?

O.C.G.A. 50-21-21 (2010)

(a) The General Assembly recognizes the **INHERENTLY UNFAIR** and inequitable results which occur in the strict application of the traditional doctrine of sovereign immunity.

The history of the present King of Great Britain (Georgia) is a history of
REPEATED INJURIES AND USURPATIONS,
all having in direct object the establishment of an absolute Tyranny over these States (the
People).

The Declaration of Independence

Why did the people vote with a 73% majority to waive Georgia Immunity?

“But when a long train of
ABUSES AND USURPATIONS,
pursuing invariably the same Object evinces a design to reduce them under absolute Despotism,
it is their right, it is their duty, to throw off such Government, and to provide new Guards for
their future security. –Such has been the patient sufferance of these (Georgia) Colonies; and such
is now the necessity which constrains them to

ALTER

their former Systems of Government.”

12.3.

State Officials Sued In Personal Capacity

“When Jurisdiction challenges the act of Federal or State official as being illegal, that official
cannot simply avoid liability based on the fact that he is a public official. [*United States V. Lee*
106 U.S. 196, 220, 221, 1 S. CT 240, 261].”

“While state officials can generally invoke sovereign immunity when sued in their official
capacity, they cannot do so in one specific instance. In *Ex Parte Young*, the Supreme Court held
that a private litigant can bring suit against a state officer for prospective injunctive relief in
order to end “**a continuing violation of federal law**” - 209 U.S. 123 (1908). A state official who
enforces ““an unconstitutional legislative enactment (Loss of Jurisdiction) . . . comes into conflict
with the superior authority of [the] Constitution,” and therefore is ‘**stripped of his official** or
representative character and is **subjected in his person** to the consequences of his individual
conduct (Loss of Immunity)! The State has no power to impart to him any immunity from
responsibility to the supreme authority of the United States.” *Va. Office for Prot. & Advocacy v.*
Stewart, 563 U.S. 247, 254 (2011) (quoting *ex Parte Young*, 209 U.S. at 159-60).”

“*Lewis v. Clarke*, No. 15-500 (U.S. April 27, 2017) also fleshed out this distinction between
individual and official suits, holding that sovereign immunity does not shield state officials when
sued in their **personal or individual capacity**, even if the state would indemnify that employee.
Borrowing from “arm-of-the-state” principles, *infra* Section II.D, the Court reasoned that the
“critical inquiry is who may be legally bound by the court’s adverse judgment, not who will
ultimately picks up the tab.” *Lewis*, slip op. at 9.”

"O.C.G.A. 50-21-25 Immunity of state officers However, nothing in this article shall be construed to **give a state officer or employee immunity** from suit and liability if it is proved that the officer's or employee's conduct was not within the **scope of his or her official duties** or employment."

12.4.

State Officials Sued In Official Capacity

Williams, Champlin IV, Weed all boosted in your false statements before the District Courts that all Conspirators were acting in their Official Capacity... so there is no denying it now.

GA Code § 50-21-23 (2020)

The state waives its sovereign immunity for the torts of **state officers and employees** while acting within **the scope of their official duties** or employment... The state shall have no liability for losses resulting from conduct on the part of state officers or employees **which was not within the scope of their official duties or employment.**

and

The U.S. Senate revokes immunity - ICCPR Article Part 2. Article 2, para 3(a) Each State Party to the present Covenant undertakes: (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an **effective remedy, notwithstanding** that the violation has been committed by **persons acting in an official capacity.**

And

Criminal Statute - 18 U.S. Code § 242

"**Whoever**, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of **any rights, privileges, or immunities** secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both,"

"For the purpose of Section 242, acts under "color of law" include acts not only done by **federal, STATE, or local officials within their lawful authority...**

13.

Gwinnett County And Its Employees Sued

The basic purpose of a § 1983.

"The purpose of the statute was to deter public officials from using the badge of their authority to violate persons' constitutional rights and to provide **compensation** and other relief to victims of **constitutional deprivations** when that deterrence failed." *Carey v Piphus*, 435 US 247, 253 (1978).

14.

Defining The Federal Conspirators

Judge Amy Totenberg, United States District Court For The Northern District Of Georgia
Atlanta Division. Judge Eleanor L. Ross- United States District Court For The Northern District
Of Georgia Atlanta Division. This list will certainly grow over time.

14.1

Federal Conspirators Sued In Official Capacity

5TH Amendment

“nor be deprived of life, liberty, or property, without due process of law;”

and

The U.S. Senate revokes immunity - ICCPR Article Part 2. Article 2, para 3(a) Each State Party to the present Covenant undertakes: (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity.

And

Criminal Statute - 18 U.S. Code § 242

“Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States,... shall be fined under this title or imprisoned not more than one year, or both;”

Sgt. Crisp is Immune – Not Totenberg and Ross.

and

“For the purpose of Section 242, acts under "color of law" include acts not only done by
FEDERAL, state, or local officials **within their lawful authority...**

15.

The Pseudo- Jurisdiction/Immunity Conspiracy.

The Pseudo- Jurisdiction Conspiracy Defined: to exercise false Jurisdiction or to aid and abet the exercise of Jurisdiction when all acts of all conspirators were in a complete and total absence of all Jurisdictions!

“lacked subject matter jurisdiction over dispute or jurisdiction over parties and acted in manner inconsistent with due process of law and otherwise acted unconstitutional in entering judgment,
U.S.C.A. Const. Amend. 5, *Hays v. Louisiana Dock Co.*, 452 N.E. 2d 1383 (III App. 5 Dist. 1983).

15.1

The Pseudo- Jurisdiction/Immunity Conspiracy.

Facts About Anti-Constitutional Ruling-Class
Judges

**The United States Constitution explicitly states that Judges
are not Immune!**

Article III, Sec. I, "The Judicial Power of the United States shall be vested in one supreme court,
and in such inferior courts, shall hold their offices **during good behavior.**"

and

Article six of the United States Constitution clearly states:

"This Constitution, and the Laws of the United States ...shall be the supreme Law of the
Land;... and the Judges in every State **shall be bound thereby**, any Thing in the
Constitution or Laws of any State to the Contrary notwithstanding."

and

Article Three Section 2 of the United States Constitution

"He has combined with others to subject us to

A JURISDICTION FOREIGN TO OUR CONSTITUTION,
(Case Law and Star Chamber Courts)

and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:"

The Declaration of Independence

and

"The judicial Power shall extend to all Cases, in Law and Equity, arising under this
Constitution, the Laws of the United States, and Treaties made, or which
shall be made, under their Authority;"

"Judges Give themselves Absolute Immunity or Jurisdiction illegally from a parallel illegal
system called Case Law. Case Law is both Written and Unwritten. Which is used mostly to
violate rights."

Judges power is strictly "**Constitution, the Laws of the United States, and
Treaties**" only!

"He (Anti-Constitutional Judges) has obstructed the Administration of Justice, by refusing his
Assent to Laws for

ESTABLISHING JUDICIARY POWERS."

The Declaration of Independence

Case Law is outside of Constitutionally Established Judiciary Powers where "Judges" gave themselves illegal authority from a Star Chamber Court dating to Tyrannical Merry Ole England which was specifically designed to VIOLATE RIGHTS! Some things just never change!

15.2.

The Pseudo- Jurisdiction/Immunity Conspiracy.
Some "Good Behavior" Judges Case Law

These Conspirators have unconstitutionally ordered or aided and abetted that

"ANY ACT "OF A JUDICIAL NATURE"

even if it is in

VIOLATION OF THE CONSTITUTION

and where there is absolutely

NO JURISDICTION

entitles themselves and all conspirators

TO JUDICIAL IMMUNITY.

AN EMPIRICAL LIE and PERJURY.

"But in a jurisdictional vacuum, (that is, absence of all jurisdictions) the second prong necessary to absolute judicial immunity is missing. *Stump v. Sparkman*, id., 435 U.S. 349."

Butz v. Economou, 98 S. Ct. 2894 (1978); *United States v. Lee*, 106 U.S. at 220, 1 S. Ct. at 261 (1882). "No man [or woman] in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. **All the officers of the government** from the highest to the lowest, are creatures of the law, and **are bound to obey it.**"

Cannon v. Commission on Judicial Qualifications, (1975) 14 Cal. 3d 678, 694. Acts in excess of judicial authority constitutes **misconduct**, particularly where a judge deliberately disregards the requirements of fairness and due process.

Judicial immunity is lost when a Judge lacks jurisdiction.

18 U.S. Code, Section 241/242, *Rankin v. Howard*, (1980) 633 F.2d 844, cert den. *Zeller v. Rankin*, 101 S.Ct. 2020, 451 U.S. 939, 68 L.Ed 2d 326., *Piper v. Pearson*, 2 Gray 120, cited in *Bradley v. Fisher*, 13 Wall. 335, 20 L.Ed. 646 (1872), *Davis v. Burris*, 51 Ariz. 220, 75 P.2d 689 (1938), *Ableman v. Booth*, 21 Howard 506 (1859), *United States v. Lee*,

106 U.S. 196, 220, 1 S.Ct. 240, 27 L.Ed. 171 (1882), *Buckles v. King County* 191 F.3d 1127, *1133 (C.A.9 (Wash.), 1999), 435 U.S. 349, 362, *The Court in Yates v. Village of Hoffman Estates*, Illinois, 209 F. Supp. 757 (N.D. Ill. 1962), and *Scheuer v. Rhodes*, 416 U.S. 232, 94 S. Ct. 1683, 1687 (1974).

Federal Tort Law States That Judges Cannot Invoke Judicial Immunity For Acts That Violate Sgt. Crisp's Civil Rights.

Thomas v Collins, supra, 323 US 516, 531. Hence, the act of filing suit against a governmental entity represents an exercise of **the right of petition** and thus **invokes constitutional protection.**" *City of Long Beach v Bozek*, 31 Cal.3d 527, at 533-534 (1982).

and

See *Robert Craig Waters. Tort & Insurance Law Journal*, Spr. 1986 21 n3, p509-516, 1 Cranch 137 at 163 (1803), *Thomas v Collins*, 323 US 516; 65 S.Ct 315, 322, and *Harlow et al v Fitzgerald*, 457 U.S. 800, 818 (1981).

15.3.

The Pseudo- Jurisdiction/Immunity Conspiracy.

Here's What Anti-Constitutional Government Types Do Not Want You To Know!

The Historic Origin of the Legal Fiction of Judicial Immunity

It Comes From a Star Chamber Court That Was Specifically Designed To Violate Rights
 "As early as 1613, English courts had recognized that **Magna Carta Article 39 (Law of the United States too) restricted the power of judges.** Early English decisions had found that judges lost immunity from suit for acts clearly beyond their jurisdiction.' See *The Case of the Marshalsea*, 77 Eng. Rep. 1027 (K.B. 1613) (no immunity when Court of the Marshalsea asserted jurisdiction over persons outside the king's household, its sole jurisdiction). The *Marshalsea* court specifically traced jurisdictional limits to **Article 39 of Magna Charta** (Id. at 1035)."

"Only in a single area did the English common law grant a broad form of immunity to judges, Recognizing a need to protect judges from the displeasure of the Crown and its ministers, the **Star Chamber** in *Floyd and Barker*, 12 Co. Rep. 23, 77 Eng. Rep. 1305 (1607) had held that a judge could not be prosecuted in another court for an alleged criminal conspiracy in the way he had handled a murder trial. In refusing to try the case, **the judges of Star Chamber** held simply that if the king wished to discipline a judge, the king must do so himself **without resort to a criminal prosecution.**"

"The Supreme Court for the first time ever relied on *Floyd* as a precedent for judicial immunity in *Bradley v. Fisher*, 80 U.S. (13 Wall.) 335, 351 (1872)."

"Despite this narrow focus, *Floyd* frequently is cited as the foundation of the American judicial immunity doctrine. **The federal and state courts' lavish reliance on this Star Chamber decision is puzzling and illegal.** While the legal fiction of immunity doctrine focuses exclusively on civil liability for judicial acts when no jurisdiction is possible, *Floyd* is concerned not with liability but with the proper method of disciplining alleged misconduct of judges. Indeed, ***Floyd's* concern is**

not judicial immunity at all - Judges Bait and Switch, but judicial independence from the executive branch of government.”

Judges Bait and Switch

Where Judges Say a law means something when it does not.

“*Pulliam v. Allen*, 104 S. Ct. 1970, 1975 (1984) exposes this legal fiction and even names *Floyd and Barker* in the documentation. Then, *Pulliam v. Allen*, 104 S. Ct. 1970, 1975 (1984) eliminates the legal fiction of immunity!”

“Judicial immunity is not a bar to prospective injunctive relief against a judicial officer, such as petitioner, acting in her judicial capacity.”

“There never has been a rule of absolute judicial immunity from prospective relief...”

15.4

The Pseudo- Jurisdiction Conspiracy And The Immunity Conspiracy The Laws That Destroy The Fiction Of Judicial Immunity

The 5th and 14th Amendment of The U.S. Constitution

When a Judge Violates a Constitution Right (Acts without Jurisdiction) They are Not a Judge
Anymore – Lost Immunity. They Are Just A Criminal – Like Any Other Criminal.

and

18 U.S. CODE 241/242

In 1948, We the People through Congress made it Crystal Clear That Their Legal Fiction of Judicial Immunity has Come to an End Once and for all! 18 U.S. Code 242 **unquestionably abolishes judicial immunity from criminal prosecution** overruling *Floyd*.”

(Oh, Anyone can sue a judge in civil Court using a criminal law!)

Criminal Statute - 18 U.S. Code § 242

“**Whoever**, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States,... shall be fined under this title or imprisoned not more than one year, or both;”

“For the purpose of Section 242, acts under "color of law" include acts not only done by

Federal, State, or local officials within their lawful authority, but **also acts done beyond the bounds of that official's lawful authority**, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. **PERSONS ACTING UNDER COLOR OF LAW** (16-10-23) within the

meaning of this statute include **police officers**, prisons guards and other law enforcement officials, as well as **JUDGES**, care providers in public health facilities, and others who are acting as **PUBLIC OFFICIALS**....The offense is punishable by a range **OF IMPRISONMENT UP TO A LIFE TERM**, or the **DEATH PENALTY**, depending upon the circumstances of the crime, and the resulting injury, if any.”

But all Judges (That I have met) continue this ridiculous and Criminal Conspiracy of Immunity.

15.5.

The Pseudo- Jurisdiction/Immunity Conspiracy.

We Can Even Sue People Pretending to be Judge when they are not – For Money Damages!

WHY? Because they are not a judge – they are just a criminal like any other criminal, but worse!

\$\$\$

"Officers of the court have **no immunity**, when **violating a Constitutional right**, from **liability**...-- *Owen v. Independence*, 100 S.C.T. 1398, 445 US 622; *Scheuer v. Rhodes*, 416 U.S. 232.

U.S. Fidelity & Guaranty Co. (State use of), 217 Miss. 576, 64 So. 2d 697. When a judicial officer acts entirely without jurisdiction or without compliance with jurisdiction requisites **he may be held civilly liable for abuse of process** even though his act involved a decision made in good faith, that he had jurisdiction.

Elliot v. Piersol, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828). Under federal Law, which is applicable to all states, the U.S. Supreme Court stated that "if a court is without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void, and **form no bar to a recovery sought**, even prior to a reversal in opposition to them. They constitute no justification and all persons concerned in executing such judgments or sentences are considered, in law, as trespassers."

16.

Proving

The Pseudo- Jurisdiction/Immunity Conspiracy.

Sergeant Crisp Was A USAF Security Policeman And Officer (NCO)

See Proof - Exhibits 1 and 2

Sgt. Crisp was Unlawfully adjudicated by Judge Tate and ADA Toole for Impersonation Jan 14 -

15th 2019 for saying -

I WAS A USAF (SECURITY POLICEMAN / NON-COMMISIONED) OFFICER!

Tate and Toole and all Conspirators are fully aware that Sgt. Crisp **WAS A USAF SECURITY POLICEMAN AND OFFICER.** Since Sgt. Crisp's "**I Was an Officer with The United States Air Force.**" is not a crime or a "criminal" confession – but is the truth – no crime has occurred.

**Anyone who says that
I was a United States (Air Force Security Policeman and (Non-
Commissioned) Officer
Is a Crime.
Is Committing Perjury
And
is an Anti- American Military Bigot.**



Service in Our Military is Lawful.

U.S. Constitution Article I, Section 8, Clause 16:

[The Congress shall have Power . . .] To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, . . .

Giozza v. Tiernan, 148 U.S. 657, 662 (1893) And due process of law within the meaning of the [Fifth and Fourteenth] amendment is secured if **the laws operate on all alike**, and do not subject the individual to an arbitrary exercise of the powers of government."

"The assertion of federal rights, when plainly and reasonably made, are not to be **defeated under the name of (The Conspirators local practice).**

Davis v. Wechler, 263 U.S. 22, 24; *Stromberb v. California*, 283 U. S. 359; *NAACP v. Alabama*, 375 U. S. 449:

ProvingThe Pseudo- Jurisdiction/Immunity Conspiracy.Facts Of The Case - What Sgt. Crisp Actually SaidDirty Cops Often Confess To Their Crimes In Their Very Own Police Statements

Sgt. Crisp refused to talk with Schunk and remained completely silent - did not say a single word (there was no Consensual Contact at all) and walked away – (Sgt. Crisp can not run, unbalanced, had a limp, and is disabled). Schnuck followed behind him (Sgt. Crisp) grabbed Sgt. Crisp’s arm where Sgt. Crisp almost fell onto Schunk. Yes, dirty cops do this grabbing arms all the time, and they lie and say they did not. However, Schunk made this **extraordinary confession** in his own police report Exhibit 3 lines 4-5! A criminal act - 16-5-102(a), False arrest, Kidnapping, Lost Qualified Immunity, etc. Schunk “Advised (Accused) him you made numerous claims of being a cop.” Exhibit 3 line 5. This is not hearsay but an Accusation! (Contradiction – Bings Exhibit 4 line 55 says Schunk “asked him if he’d previously stated he was a cop.” Sgt. Crisp will now join the Honorable Officer Bing in confirming that Schunk did ask me if I **WAS** a cop! Schunk confesses that we had a previous conversation where Sgt. Crisp said “I is a cop” to him – reasonable suspension??? Why did Schunk or Bing not arrest Sgt. Crisp immediately after making such an extremely vague and very in specific word “cop”? Schunk could not arrest Sgt. Crisp because we did not have that previous conversation – Schunk confesses, and Bing confirms in their police statements that this was our first conversation and therefore Sgt. Crisp had made no statements to Schuck at all – Schunk lied and had no reasonable suspension. Schunk made up the “I is a Cop” when he saw Sgt. Crisp’s truck with USAF Security Police stickers and the United States Air Force Veteran Symbol on the trucks tag - no reasonable suspension.

17.1.

“The male (Sgt Crisp) refused to answer initially (Sgt. Crisp exercised his 5A rights to remain silent because he was restrained/seized by Schunk - Exhibit 3 lines 4 -5). Schunk forced this disabled veteran to remain standing in great pain while he grabs and pulls on Sgt. Crisp by the arm. Then Schunk started pulling Sgt. Crisp’s so hard that he almost lost balance and would fall towards Schunk (because Plaintiff has a lack of balance due to nerve damage in his legs from Desert Storm/Shield) making it look like Sgt. Crisp is attacking him, where Schunk would shoot Sgt. Crisp to death. Schunk was pulling so hard on Sgt. Crisp’s arm that Sgt. Crisp was about to fall on Schunk where he would murder Sgt. Crisp to death because I refused to talk to Schunk. To prevent Schunk from murdering him Sgt. Crisp informed Schunk that there were several cameras and witnesses watching us and stated I was a former USAF Security Policeman. “but later stated that he ‘**WAS**’ a retired military police officer and “**NOT**” that he was an active-duty cop.” - Officer Bings Police Statement lines 54 – 56 Exhibit 4. “The male stated he **DID NOT** say he “**WAS**” active, but “**WAS**” a military officer – Exhibit 4 line 58 – No reasonable suspension or probable cause! Schunk did not document what Sgt. Crisp told him at that point – Exhibit 3 line 5. However, Schunk later in his police statement confirms that Sgt. Crisp told Schunk he “**WAS**” an officer with the Air Force - Exhibit 3 lines 6 and lines 13-14. No reasonable suspension or probable cause!

17.2.

Then Schunk released Sgt. Crisp’s arm - this is evidence of a false arrest and kidnapping! Because Schunk did not haul Sgt. Crisp off to jail immediately as an arrested person - this is an Indirect Confession or a Failure to Act Confession. Why did Schunk release Plaintiff? Because Schunk still had no evidence of a crime. If Sgt. Crisp did say “**is**” a specific Georgia Official,

then Schunk is required to arrest Sgt. Crisp immediately. Schunk did not arrest Sgt. Crisp immediately!

17.3.

It was later that Schunk decided to fabricate a crime against Sgt. Crisp. But the damage had been done, the second Schunk grabbed Plaintiffs arm and released him. Schunk, a **Hater of our Military and Veterans** by his actions confessed to violating several laws.

17.4.

Schunk Confesses to Perjury – Exhibit 3 line 18

“I applied for a warrant and made contact with a Magistrate Judge and obtained a warrant for impersonating a police officer.”

On 18 May 2017 with the arrest warrant back dated to 18 April 2017 (that is the date the Clerk of Court placed upon the arrest Warrant - crime). Scott W. Schunk arrives at Sgt. Crisp home with an army of police, SWAT and armored vehicles and presents Sgt Crisp the illegal arrest warrant – Exhibit 7. Scot W. Schunk obviously obtained the arrest warrant by perjury! Schunk then arrests Sgt. Crisp for Impersonation.

International Covenant on Civil and Political Rights.

Treaty Series, 999, 171. Bibliography: The United Nations General Assembly.

Art 9 para. 1.

No one shall be subjected to arbitrary arrest or detention.

Art 9 para. 4.

Anyone who is deprived of his liberty by **arrest or detention** shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful. (This did not happen to Sgt. Crisp).

Art 9 para 5.

Anyone who has been the victim of unlawful **arrest or detention** shall have an enforceable right to **COMPENSATION -Irreparable Damages!**

Schunk committed a Retaliatory Arrest for the exercise of a 1st Amendment Right. Schunk himself in his own Police statement has proven: (a) a violation of Sgt Crisp’s federal constitutional rights; and (b) the federal constitutional right was “clearly established” under

precedents of the U.S. Supreme Court, the Eleventh Circuit, or the Georgia Supreme Court.

Harbert Int'l, Inc. v. James, 157 F.3d 1271, 1281 (11th Cir. 1998). It is sufficiently clear that a reasonable Schanck would understand that what he is doing violates that right.” The salient question is whether Schunk had “fair warning” that his conduct was unconstitutional – Exhibit 3, line 5 “Crisp advised me that I had no right to grab his arm.”

17.4.1.

All Defendants and Conspirators did and are participating in a criminal conspiracy to violate Sgt. Crisp’s 1st Amendment Rights. **Irreparable Damages!**

International Covenant on Civil and Political Rights. Treaty Series, 999, 171. Bibliography: The United Nations General Assembly.

Article 2.

“Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, **(I was a USAF Officer)** in writing or in print, in the form of art **(USAF Flag)**, or through any other media **(USAF Flag)** of his choice.”

17.5.

The Exclusionary Rule

Prohibits Sgt. Crisp’s answer to Schunk from being offered into evidence in any criminal prosecution! Because Sgt. Crisp was seized (grabbed my arm) *Florida v. Royer*, 460 U.S. 491, 497-98 (1983) and *United States v. Mendenhall*, 466 U.S.544 (1980) and the O.C.G.A. 24-3-50. Officer Schunk lost his qualified immunity and all Defendants/Conspirators have used Sgt. Crisp’s answer in a criminal and civil proceedings. Thus, all conspirators did and are currently acting in complete and total absence of all jurisdictions.

17.6.

Sgt. Crisp’s USAF Flag and Security Police Display was taken as **supposed criminal evidence** of being a **former USAF Security Policeman** - Exhibit 4, Lines 62- 69. Schunk seized the Flag (blanket) and display without reasonable suspension and no probable cause. Sgt. Crisp never

consented to the removal of his flag! Schunk took Sgt. Crisp's flag from his property without a warrant! The Flag and display were taken illegally to insult our Military and Sgt. Crisp personally. Yet Totenberg/Ross refused to provide the Flag and display when Sgt. Crisp made multiple motions for its return. Since when is a USAF flag and SP display that was posted outside Sgt. Crisp's home for 10 years and in thousands of locations around the world - criminal evidence? If the USAF Flag and SP display is not criminal evidence – then this is a 4A rights violation. Also, the USAF flag and SP Display was the only physical evidence that actually proved nothing about Sgt. Crisp as anyone can display a flag and SP Display. Schunk confesses “Schunk stated that the (USAF Flag) blanket was **NOT PROOF** that the male “**WAS**” (or is) an officer.” – Exhibit 4, line 65. The Flag and SP Display is not evidence at all. Thus, it is unquestionable that Schunk's seizure was unreasonable – Violating the 4th Amendment. Fact is, **The Freedom of Speech protected Security Police Badge Display and USAF Flag can not be used in a prosecution under-**

18 U.S. Code § 716. Para (b). “It is a defense to a prosecution under this section that the insignia ... is intended to be used exclusively— (1) as a memento, or in a collection or exhibit...

17.7.

Summary

Schunk Lost All Qualified Immunity. He Never Had Reasonable Suspicion Or Probable Cause And All Conspirators Knew Then And Know It Now.

18.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy.

Da Porter And Toole Fabricates A Crime.

Confesses To Perjury In Their Own Indictment.

“Did Falsely Hold Himself Out As a Public Officer, To Wit: A United States Air Force (Police) Officer,

by **Stating** That

“He Was an Officer with The United States Air Force.”

DA Porters Bill of Indictment – Exhibit 5.

"The claim and exercise of a (1st amendment) Constitution right cannot be converted into a crime"... "a denial of them would be a denial of due process of law". *Simmons v. United States*, 390 U.S. 377 (1968), *The United States Vs Alvarez* No. 11-210.

Irreparable Damages!

18.1

Judge Totenberg's Anti- Military Bigotry Indictment Confession

Judge Totenberg quotes the above Bill in Exhibit 8. Page 8. Lines 15-21.

Therefore, Totenberg knew of the Perjured Bill and was OK with it. Further she

lies about *Henzel v. Gerstein*, 608 F.2d 654, that Porter and Toole can commit

perjury in Exhibit 8. Page 18. Lines 1-3. No, they can not!

"State officials are protected by a qualified immunity from § 1983 damage suits upon a showing that they acted in **good faith and without malice.**"

There is no possibility of Good Faith in this case!

Henzel v. Gerstein, 608 F.2d 654, *O'Connor v. Donaldson*, 422 U.S. 563, 577, 95 S.Ct. 2486, 45 L.Ed.2d 396 (1975); *Wood v. Strickland*, 420 U.S. 308, 321, 95 S.Ct. 992, 43 L.Ed.2d 214, rehearing denied, 421 U.S. 921, 95 S.Ct. 1589, 43 L.Ed.2d 790 (1975); *Johnson v. Wells*, 566 F.2d 1016, 1018 (5th Cir. 1978).

Fact is Totenberg knew the Bill was perjury and wanted to use it to make her own materially false Judgment.

19.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy.

All Conspirators - No Jurisdiction Or Venue

Sgt. Crisp was never in the state of Georgia when he "WAS" a USAF Security Policeman –

Georgia lacks jurisdiction and venue O.C.G.A. 9-10-93.

20.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy.

Fraud committed in the procurement of jurisdiction

Fredman Brothers Furniture v. Dept. of Revenue, 109 Ill. 2d202, 486 N.E. 2d 893(1985)

If Sgt. Crisp's free speech statement "I was a USAF Security Policemen" is a criminal confession (as Totenberg has taken Judicial Notice of and Tate convicted Sgt. Crisp of) then the act confessed too is the actual crime. Therefore, being former USAF SP is in and of itself a crime. All Conspirators have criminalized Sgt. Crisp's military service in the "**past tense**" – **Ex post Facto – The Ultimate Perjury!**

21.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy.

All Conspirators acted against Sgt. Crisp in the totality of his past military service - **Ex post Facto**. These includes Sgt. Crisp's War Time actions as a USAF Security Policeman and GLCM Defender. However, All Conspirators do not have jurisdiction over a U.S. Service Member when he is engaged Military Service or in a war zone. All Conspirators never held jurisdiction, because Congress established the UCMJ to have jurisdiction over military personnel.

"U.S. Const Article III, Section 2, Clause 3: The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed."

"For depriving us in many cases, of the benefits of Trial by Jury:"
The Declaration of Independence

22.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy.
No Justiciable Issue Is Presented To The Ga Superior Courts

This fact proves the Conspirators had no justiciable issue presented to the court through proper pleadings, *Ligon v. Williams*, 264 Ill. App 3d 701, 637 N.E. 2d 633 (1st Dist. 1994).

23.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy.
No Cognizable Cause Of (Criminal) Action In Ga State Courts

The Conspirator's Indictment/Orders/Judgments states no cognizable cause of (criminal) action against Sgt. Crisp. *Charles v. Gore*, 248 Ill App. 3d 441, 618N.E. 2d 554 (1st. Dist. 1993).

Void judgments are those rendered by a court which lacked jurisdiction, either of the subject matter or the parties. *Wahl v. Round Valley Bank* 38 Ariz, 411, 300 P. 955(1931), *TubeCity Mining & Milling Co. v. Otterson*, 16 Ariz. 305, 146p203(1914); and *Millken v. Meyer*, 311 U.S. 457, 61 S. CT.339,85 L. Ed. 2d 278 (1940).

24.

Summary

Proving The Pseudo- Jurisdiction/Immunity Conspiracy.

All Conspirators – No Immunity- No Jurisdiction

No one ever held jurisdiction over Sgt. Crisp's "I was a USAF Security Policeman." All Conspirators lost all subject matter jurisdiction the moment they read the perjured Indictment, arrest warrant obtained by Schunk's perjury that was retro-dated and null - Exhibit 7, read Sgt. Crisp's Military Records, the Police Statements, and Davis' void Arraignment order. All Conspirators then knowingly aided and abetted, perjury, materially false statements and enforced void orders/judgments, enforced no jurisdiction and many others. Every document produced by All of the Conspirators are criminal confessions- 42 U.S. Code 1985/1986.

25.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy.

Conspirators Ross, Tate, Davis, And Totenberg Used Unwritten Case And Granted Jurisdiction To All Conspirators In Clear Absence Of All Jurisdictions To Do So.

The Eleventh Amendment was not intended to afford them freedom from liability in any case where, **under color of their office**, they have injured one of the State's citizens. To grant them such immunity would be to create a privileged class free from liability from wrongs inflicted or injuries threatened. Public agents (**Judges**) **must be liable to the law** unless they are to be put above the law. See *Old Colony Trust Company V. City Seattle Et Al.* (06/01/26) 271 U.S. 426, 46 S.Ct. 552, 70 L. Ed at page 431. No officer of the law may set that law at defiance with impunity. See *United States v. Lee*, 106 U.S. 196, 220 and *Burton v. United States*, 202U.S. 344.

But in multiple criminals acts the Judge Conspirators upheld the other Conspirators illegal jurisdiction and Ex post facto **repeatedly!** Conspirator Ross granted false jurisdiction (Perjury) when she lifted her stay and authorized the criminal Trial of Sgt. Crisp for saying he "**was**" a

USAF Security Policeman when she knew he actually “is” a former USAF Security Policeman. Conspirator Totenberg used a different method and pretended (Omission and Perjury) that the other Conspirators had jurisdiction when she knew they did not. Judge Tate and Davis convicted and Indicted Sgt. Crisp respectively. These Conspirator Judges held no jurisdiction to grant any of the Conspirators jurisdiction - so they lost immunity as well-

“Judges are entitled to **absolute judicial immunity** from damages for those acts taken while they are acting in their judicial capacity **unless**

(if there is an unless then there is no absolute)

they acted in the clear absence of all jurisdictions.” *Bolin v. Story*, 225 F.3d 1234, 1239(11th Cir. 2000) (internal quotations omitted) (citing *Stump v. Sparkman*, 435 U.S. 349, 356-357 (1978)).

25.1

Proving The Pseudo- Jurisdiction/Immunity Conspiracy

The There Is No Way A Jury Will Ever See Plaintiff's Military Records Conspiracy

Sgt. Crisp made multiple motions for Judicial notice of his military records in GA State 18-B-01208-10. Toole, Davis, and Porter knew once Sgt. Crisp presented his military records to the Jury during his opening speech (in Exhibits 1 and 2 the word OFFICER is really big) and the jury would see it which would be enraged and acquit Sgt. Crisp - even if Davis refused the tendering of the records as he threatened to do in open court. However, Judge Tate in the Jan 14th Star Chamber also would not allow Sgt. Crisp military records to be submitted.

26.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy

Judge Davis

The Ex Post Facto Conspiracy - Systemic Anti-Military Bigotry

Judge Davis, you received 3 motions from this Sgt. Crisp that revealed the **Ex Post Facto**

Conspiracy – Davis you saw all the motioned military records of the Sgt. Crisp that you dismissed and motion for Genuineness of Documents. You know that Sgt. Crisp had done no crime and all about the **Ex Post Facto Conspiracy**. Davis did not stop it - 42 U.S. Code

§ 1985/86. Davis knew Sgt. Crisp would Recusal Motion his Orders if he dismissed them. Davis delayed dismissing the 3 Motions because he feared higher Judges would obviously over-rule and end the obvious **Ex Post Facto Conspiracy** and trial. Davis decided to hold the trial and never rule on the motions at all, violating Sgt. Crisp's due process rights. However, Judge Ross then forced (Stay Order on 20 Aug. 2018) Davis to rule on Sgt. Crisp's motions by stopping the **Ex Post Facto** trial until he did. Davis then conspired with and aided and abetting other Defendants by taking the **extraordinary step in illegally backdating his 3 dismissal Orders** regarding Sgt. Crisp's Military records and Motion of Dismissal to July 16, 2018. That is 35 days before Judge Ross's Stay Order requiring him to act on these motions so Sgt. Crisp could not timely Recuse. Judge Ross caught Davis in this Felony crime. Davis violated: O.C.G.A. 16-10-94, 16-10-20, 16-10-20.1(b), O.C.G.A. 16-10-8, O.C.G.A. 16-4-8. Criminal Conspiracy, 42 U.S. Code § 1986, 18 U.S. Code § 2, 18 U.S. Code § 3, and 18 U.S. Code § 4 and others. **Davis, You Must Truly Despise Our Military Veterans – Bigot!** As a result, Sgt. Crisp then motioned a Mandamus to the G.A Supreme Court.

26.1.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy

Judge Davis Revokes Sgt. Crisp's Jury Trial Rights

The No Way Sgt. Crisp Will Have A Jury Trial Conspiracy

Sgt. Crisp made several motions for a Jury trial – Davis dismissed them all. Why did Judge Davis revoke Plaintiffs 6A rights? Because he knew a Jury would be a big problem- **any jury would see the absurdity of the Ex Post Facto** and would acquit Sgt. Crisp. So, to deal with the jury problem – is not to have a jury! How could they do this? Sgt. Crisp had confessed truthfully that he was an USAF Officer (Exhibit 1) and the Conspirators considered this a criminal confession.

“For depriving us in many cases, of the benefits of Trial by Jury:”

The Declaration of Independence

27.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy
Tuwanda Rush Williams, Murray J. Weed, David D. Pritchett, And
James C. Champlin IV, G.A. Bar No. 853410 Asst. Attorney General.

Are Officers of the Court - O.C.G.A.16-10-97(b)
Perjury

Systemic Anti-Military Bigotry

The four above knew of the Ex Post Facto conspiracy – (You saw Sgt. Crisp’s Military Records) you did not stop it! All knew that Davis had retroactively dated 3 Orders - a crime. You did not stop it! All read Porter’s Indictment, Bad cop Schunk’s and Good Cop Bing’s (Not a Defendant) Police Reports. You knew that no conspirator had jurisdiction or immunity, but you lied and even boosted about it so now you can not deny it. All read Porters 9 count perjury indictment! You all knew no crime had occurred. You did not stop it! Instead, all of you aided and abetted by producing several documents full of 100s of Lies and materially false statements in 1:18-CV-2619 and 1:21-cv-00175-At – crime 16-10-20 and perjury.

27.1

All Government Officials Confess To Their Crimes In Court Documentation
The 11th Amendment- 2-Edged Sword

The four above seek the protection to lie under 18 U.S.C.1001. However, 18 U.S.C.1001 was not enacted under the Enabling Clause of the Fourteenth Amendment. – One Edge of The Sword.

27.2

“11th Amendment Immunity is the Second edge of the sword.”

The four above are immune by the 11th Amendment to 18 U.S.C.1001. and can not justify making false statements under 18 U.S.C.1001. However, they must comply with all State laws - especially O.C.G.A 16-10-20. Totenberg and Ross “allowed” the all the Conspirators to lie right

in their own proceedings and then used their lies to make their own orders/judgments. Judges Totenberg and Ross really should have stopped them – Rule 11.

27.3.

The 11th Amendment 2-Edged Sword

Perjury, Suborning Perjury And “Accessory After The Fact”

The four above committed perjury themselves, Suborning Perjury and “accessory after the fact” by Claiming that: Sgt. Crisp’s Military Service is a Crime; That Sgt. Crisp’s free speech right “I was a USAF (Police) Officer is a crime – Including Federal Judge Totenberg. That all Conspirators are entitled to the “Fantasy Land Science Fiction” of Immunity even when none held jurisdiction – Including Federal Judges Ross and Totenberg; Boldly boosted about Sgt. Crisp’s CONFESSION many times (so you can not deny it) when it was impossible for Sgt. Crisp to confess.

International Covenant on Civil and Political Rights, Treaty Series, 999, 171. Bibliography: The United Nations General Assembly.

Art 14 para. 3. (g)

Not to be compelled to testify against himself or **to confess guilt.**

27.3.1.

Williams and Pritchett did something that is very rare – **THEY DOCUMENTED THEIR OWN ANTI-MILITARY BIGOTY!** They in Response to Sgt Crisp’s Motion to Authenticate and Identify Evidence” (Military Records) dated 21 Aug 2018 - They lied (Perjury) stating that the Sgt. Crisp’s military records “are not sealed, signed, or certified, nor are they accompanied by any type of sworn affidavit or declaration by the Plaintiff.” The fact is, they are indeed, in plain sight sealed, signed, and certified by Generals, Commanders, Senior Officers, and Senior Non-Commissioned Officers of the United States Air Force implying that they are not honorable - Judge for yourself – see the records in Exhibit 1 and 2. A sworn affidavit is not required by this Sgt. Crisp according to Federal Rule of Evidence 901 as all military records are older than

20 years. The fact is, Sgt. Crisp was forbidden to submit his military records under O.C.G.A. 15-6-72 (2010) Recordation and index of military service records. Sgt. Crisp was not allowed to submit his V.A. Medical Card or vehicle tag either – Exhibit 11.

“the clerk shall record and index the discharge certificates of all former members of the armed services of the United States residing in the county, showing their discharge from military service.

27.3.2.

Judge Totenberg Confesses She Knew About The Hide Sgt. Crisp’s Military Records Conspiracy and Lies To Cover-up the Lies in para. 27.3.1.

“Plaintiff moved to authenticate and identify evidence, specifically his purported **military records**. In representing the County, Attorney Williams filed a response to Plaintiffs motion, requesting that the Court deny Plaintiffs motion as **not properly supported (ignoring Federal Rule of Evidence 901 and O.C.G.A. 15-6-72)** and also arguing that the request to authenticate evidence was premature.” Exhibit 8. Page 25. Para. 3. Lines 3-8.

Then Judge Totenberg obviously has a thing against the military and used this

Omission above to make her own materially false Judgments.

27.3.3.

The reason they lied (False Statements) about this Sgt. Crisp’s Military Records (including my Honorable Discharge) is they did not want a jury to know this Sgt. Crisp was a USAF (Security Policeman/NCO) OFFICER; It was a backup plan if the Ex Post Facto Conspiracy failed then they could claim Sgt. Crisp lied to Schunk about being a former USAF SP to a jury. During the Jan 14th, 2019 no jury trial Sgt. Crisp was not permitted to tender his Military Records into evidence due to their **Systematic Anti-Military Bigotry**. There was no Jury because the Conspirators feared Sgt. Crisp would whip out his VA Medical ID and other records and show it to the Jury in defiance to Tate and Davis.

27.4

Conspirator Ross/ Totenberg Conspired With
Them To Violate Georgia Sovereignty And Other Laws

Totenberg/Ross “allowed” The four above to lie and commit perjury right in their own proceedings. Thus, in conspiracy Totenberg/Ross enabled (aided and abetted) a violation of G.A. State law and Georgia State Sovereignty and other laws. None of them are parties and they actually violated both Federal 18 U.S.C.1001 and State O.C.G.A 16-10-20 criminal laws and 18 U.S.C. § 371 (more on this later)! However, Ross/Totenberg used all of their lying documents to make their own Judgements/Orders - Perjury, 18 U.S.C.1001 (a), 48 U.S.C. 1985/86, and others. Ross/Totenberg - Officers of the Court! Your orders/judgments must be true and correct because you are not parties either. No Jurisdiction = No immunity – Again!

28.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy

Judge Ross

Special Cases Of Ex Post Facto Conspiracy

Systemic Anti-Military Bigotry

Ross, you knew then and know now that the Defendants are and were engaged in an Ex Post Facto Criminal and Civil Conspiracy! Your Court was served with Sgt. Crisp’s military records including Exhibit 1 and 2 and many others. Ross, you knew that Sgt. Crisp was a USAF (NCO) Officer. Ross, you read this Sgt. Crisp’s Motion to Dismiss empirically proving the Ex Post Facto Conspiracy; Ross you knew that Sgt. Crisp committed no crime. This is why Ross issued your “No Ex post facto” Stay Order against Judge Davis forcing him to rule on Sgt. Crisp’s motions. Judge Ross, this Sgt. Crisp reported to you about Judge Davis’ backdated 3 orders (Felony) violating Sgt. Crisp’s multiple rights (that you caught). Ross, you did not stop Davis’ 3 illegal Orders, which were essential in obtaining your consent to hold the forbidden Ex Post Facto trial. Ross, you did not stop Ex Post Facto trial either! Instead, Ross you authorized that which is Forbidden and used Judge Davis’ backdated orders to make your own Order” granting the Haters motion to hold an Ex Post Facto trial. Violations 42 U.S. Code § 1986/85, 18 U.S.

Code § 2, 18 U.S. Code § 3, and 18 U.S. Code § 4 and others. **Ross You Are An Anti-Military Bigot** – this is the only Logical reason a FEDERAL JUDGE would knowingly force an innocent Veteran Sgt. Crisp to endure an illegal and forbidden Ex Post Facto trial simply for saying what he did in the USAF.

28.1

Judge Totenberg

Confesses of knowing about Judge Davis' backdated 3 orders (Felony) violating Sgt. Crisp's multiple rights (that Judge Ross caught). Exhibit 8 page 9. Para.3 and Page 12, Para 3. Lines 8-10 Totenberg, you did not vacate Davis' 3 illegal Orders but relied upon them to make your own materially false judgement.

29.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy

Judge Laura Tate Presiding at Sgt. Crisp's Ex Post Facto Trial

Tate, you heard Ms. Toole in her opening statement confess that Sgt. Crisp was in the USAF, was Honorably Discharged and served in Desert Storm Desert Shield. Tate, you knew Sgt. Crisp had committed no crime - at that very moment. Tate, you reduced Sgt. Crisp's adjudication sentence from 3 years to 1 - year supervised probation because you knew that Sgt. Crisp was in the USAF! You, Tate, could see there was no jury or jury pool to strike jurors from. You could see there were no Sheriff's Deputies providing security in your Courtroom and did not ask for security or even question why security was not there. The Sheriff would not provide security, they knew the trial was Ex Post Facto and wanted to avoid liability under 1985/86. Tate you saw Toole pass by Sgt. Crisp' opening speech and denied Sgt. Crisp's tendering of evidence. Tate you knew this was an illegal trial! You did not stop it and you certainly had the power to stop it and you did not report it! Instead, you aided and abetted ADA Toole and DA Porter and Schunk by willing presiding

over The Star Chamber Trial. **Tate, you Are An Anti-Military Bigot.** Violation 42 U.S. CODE § 1985/86, 18 U.S. CODE § 2, 18 U.S. CODE § 3, AND 18 U.S. CODE § 4 and many others.

30.

The Star Chamber Trial - Porter/Toole

The Ultimate Malicious Prosecution - O.C.G.A. 45-11-4

DA Porter confessed to the Ex Post Facto Conspiracy in his very own Bill of Indictment –

Exhibit 5 and Toole confessed as well in her opening statement at Plaintiffs trial on 14 Jan. 2019.

Porter/Toole knew Schunk had violated Sgt. Crisp's constitutional right to free speech.

Porter/Toole knew that Schunk had confessed to violating by word and deed several laws in his very own Police Statement Exhibit 3. Porter/Toole did not stop Schunk (42 U.S. CODE

§ 1985/86, 18 U.S. CODE § 2, 18 U.S. CODE § 3, AND 18 U.S. CODE § 4). Instead,

Porter/Toole aids and abets Schunk! Porter/Toole “Used” inadmissible Schuck's testimony and fraudulent Arrest Warrant to “Make” the fraudulent Bill of Indictment (Exhibit 5) Violating -

O.C.G.A. 16-10-20; Porter/Toole then Used the 1st amendment USAF display (which

Empirically proves no crime is possible) as criminal evidence before the Grand Jury. Violation

of O.C.G.A. 16-10-94. Tampering with evidence. Porter/Toole violated, The Brady Rule, *Brady*

v. Maryland, 373 U.S. 83 (1963) by refusing to provide this Sgt. Crisp with “REQUIRED”

Interrogatories evidence (Discovery) under O.C.G.A. 17-16-2(a). Porter/Toole brought this Sgt.

Crisp to trial relying on Schunk's testimony as his names appears on the witness list knowing his

testimony is not admissible under GA Code § 24-8-804 (2014) (b) and use Schunk's testimony at

trial is a felony- O.C.G.A. 16-10-94 and many more. Only true and dedicated **Anti-Military**

Bigots would violate this many laws just to convict a Veteran Ex Post Facto. But it truly takes a

Rabid Anti-Military Bigot to disguise a USAF Flag and a 1st Amendment protected Security

Police Display as criminal evidence.

31.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy.
Times 2 - Star Chamber Trial

“For depriving us in many cases, of the benefits of Trial by Jury:”

The Declaration of Independence

The acts of the Defendants above in punishing Sgt. Crisp for his military service just did not satisfy their **rabid hatred of our Military and Veterans**. Sgt. Crisp had to suffer more! So, they decided on a double-dip and have a second round of No Jurisdiction and No Immunity Violations. On Jan. 14th, 2019, Sgt. Crisp was threatened and forced to wave his jury trial rights. On Jan. 15th, 2019, the threats occurred again forcing Sgt. Crisp to accept deferred adjudication under the First Offender Act and make a so-called Guilty Plea which never happened.

International Covenant on Civil and Political Rights.

Treaty Series, 999, 171. Bibliography: The United Nations General Assembly.

Art 14 para. 3. (g)

Not to be compelled to testify against himself or **to confess guilt**.

31.1.

Proof That The Waver of Jury Trial Actually Happened

For years this Sgt. Crisp did not have proof of the Jan 14th, 2019, trial. Judges Ross, Totenberg, and the Open Records Act refused Sgt. Crisp this discovery illegally! But Sergeant Crisp recently discovered proof that the Jan. 14th, 2019 “Waver of Jury” trial did occur – Exhibit 6, page 4, lines 12-15. Sgt. Crisp did inform Judge Totenberg.

Once Conspirator Totenberg realized that Sgt. Crisp had this evidence of the Trial - she almost immediately dismissed the 1:21-CV-00175-AT civil action!

International Covenant on Civil and Political Rights.

Treaty Series, 999, 171. Bibliography: The United Nations General Assembly. Article 6.

Conspirator Totenberg knew that Sergeant Crisp made Multiple GA Open Records Act requests and was told that there was no trial on Jan. 14th, 2019 because there was no jury poll and there were no records. Sergeant Crisp made multiple Motions before Conspirator Totenberg for this discovery **she ignored them all**- Due Process Duty Failure- 1A rights violation -- Irreparable Damages (*Atlanta Journal v. Long*, 258 Ga. 410, 411 (1988)), Perjury, 18 U.S.C.1001 (a), 48 U.S.C. 1985/86, 18 U.S.C.1001 (a). and other criminal violations.

31.2.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy. Waver Of Jury Trial – Forbidden And Unconstitutional

“U.S. Const Article III, Section 2, Clause 3: The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury.”

“For depriving us in many cases, of the benefits of Trial by Jury:”

The Declaration of Independence

All Conspirators knows there was no jury trial, and all know that Sgt. Crisp can not wave his jury trail right! A waver of a jury trial is forbidden under our U.S. Constitution above. Under G.A. Law waver of jury trial is only permitted under traffic court O.C.G.A. 40-13-23 and O.C.G.A 15-10-261 in Magistrate Courts. There is no O.C.G.A. that permits a waver in any Court. Such a waver is a violation of the G.A. Const. Paragraph XI. Right to trial by jury.

"Officers of the court have **no immunity**, when violating a Constitutional right, from liability. **FOR THEY ARE DEEMED TO KNOW THE LAW.**" -- *Owen v. Independence*, 100 S.C.T. 1398, 445 US 622; *Scheuer v. Rhodes*, 416 U.S. 232.

31.3.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy.

The IMPOSSIBLE “Under Oath” Guilty Plea That Never Happened and First Offender
On Jan 15, 2019, at the “The Star Chamber Trial Continues” Sergeant Crisp was not placed under oath and was not asked to provide a written confession. Even if Sergeant Crisp was placed

under oath – It's still not legal as described in Exhibit 6, page 10, lines 15- 21. Sergeant Crisp is forbidden by law to make a guilty plea at this time because his indictment had already occurred before this trial and Sergeant Crisp did not make a guilty plea in writing. But the Conspirators have Boosted and Bragged about having accepted a guilty plea (Criminal Confessions in their Court documents) from Sgt. Crisp when they knew he **BY LAW** could not! If this guilty plea had occurred, it would violate Georgia Code § 17-7-70(b) "...where the defendant has waived indictment and consented (pleas of guilty) thereto in writing." Oh, there is no written guilty plea – another Discovery motion that Totenberg ignored. The Guilty Plea Hearing transcript (Exhibit 6) is pure perjury and a criminal confession! Since Sergeant Crisp **COULD NOT PLEAD GUILTY** and there was no jury verdict, then Tate and Toole **COULD NOT OFFER**, and Sgt. Crisp **COULD NOT ACCEPT** a First Offender - O.C.G.A. 42-8-60 (a) "Upon a verdict or plea of guilty or a plea of nolo contendere..."

31.4

Proving The Pseudo- Jurisdiction/Immunity Conspiracy.

Big Promises To Make A Confession

Both conspirators ADA Toole and Judge Tate made Sergeant Crisp really nice benefits (along with the threats) to plead guilty and accept the First Offender. The benefits promised were related to charges or sentences – so big benefits. Conspirator Judge Tate at the Star Chamber trial made the following beneficial promises before the acceptance of the First Offender Act and before Sentence (forbidden) -Exhibit 6 page 19, Lines 13-20 and Exhibit 6 Page 15, lines 11-13.) "...when you walk out that door today, you will not be a convicted felon." Exhibit 6 Page 14, lines 18- 20. "...you can tell future employers or anybody that you weren't convicted of this crime. That's a positive side." And see Exhibit 6 Page 18, lines 16-24 as well.

“A promise not related to **charges or sentences** has been held to constitute only a ‘collateral benefit[.]’ “*Pulley v. State*, 291 Ga. 330, 333(2) (729 S.E.2d 338) (2012)

The above is some very serious benefits!!! This is forbidden by the G.A. First Offender Act because – because it would violate -

O.C.G.A. § 24-8-824 (2018) “To make a confession admissible, it shall have been made voluntarily, **without being induced** by another by the **slightest hope of benefit or remotest fear of injury.**”

And

O.C.G.A § 24-8-823 (2014) “...confessions of guilt shall be received with great caution. A confession alone, **uncorroborated by any other evidence**, shall not justify a conviction.”

31.4.1.

Judge Totenburg Takes Judicial Notice of the Impossible Confession, Waiver of Jury Trial and First Offender - All Are Prohibited by Law

“The Court thus takes judicial notice that Mr. Crisp pled guilty. In pleading guilty, Mr. Crisp stated on the record that he: understood the rights he was giving up in pleading guilty (including the right to trial by jury); wished to be sentenced under the First Offender Act;”

See Exhibit 8. Page 11. Para. 1

Judge Totenberg knew all the above was illegal the moment she read the perjury transcript and was Ok with it (due process duty) and used it to make her own materially false Judgment.

31.5.

The Goal Of Davis’, Tate’s, And Toole’s Star Chamber.

They Were Desperate To Convince Sgt. Crisp That He Had No Chance of Ever Getting Justice.
The Star Chamber Trial was “acted” in complete and total absence of all Jurisdiction to:

“waiver” of jury trial rights, denied rights for a jury trial, Guilty Plea, First Offender, Lack Jurisdiction and Venue, and to hold a bench trial. Thus their Ex post facto and Star Chamber criminal adjudication is null and void. But for some reason Anti- American Military Bigots Totenberg/Ross are “incapable” of vacating this nully! And Totenberg used this nully to make her own materially false judgments.

Ex post facto

International Covenant on Civil and Political Rights.

Treaty Series, 999, 171. Bibliography: The United Nations General Assembly.
Art 15 para. 1

32.

Judge Totenberg Free-Speech Retaliation

Bait and Switch and Unwritten Case Law To Violate Rights

When Judge Totenberg learned that Sgt. Crisp executed his right to appeal to the Appeals Court, she ordered that Sgt. Crisp could not sue all the Defendants in 1:21-cv-00175-At ever again.

Exhibit 8.1. Conspirator Totenberg is retaliating against Sgt. Crisp and is either Sanctioning Sgt. Crisp under Rule 11 or Regis Judicata – she did not specify which! A very bazar thing to do to Sgt. Crisp.

International Covenant on Civil and Political Rights.

Treaty Series, 999, 171. Bibliography: The United Nations General Assembly. Article 26.

32.1

If Conspirator Totenberg is using Regis Judicata? – Totenberg are you seriously saying that your “Court was Competent”? Among many criminal acts you performed, you aided and abetted the “Criminalization of Military Service” a THREAT TO OUR VERY NATIONAL SECURITY. This is as incompetent as it gets! Conspirator Totenberg, you obviously violated Cannon 3-again. You are unfit to be a judge.

32.2

O.C.G.A. 51-7-80

All Conspirators (Including Federals) have engaged in

ABUSIVE LITIGATION

Both Totenberg And Ross - Refused to Enforce Rule 11.

All Conspirators acted in complete and total absence of all jurisdictions therefore all of the conspirator’s litigation was “Without substantial justification,” Frivolous, Groundless in fact or in law, Vexatious and used for a “Wrongful purpose” to unjustifiably harass or intimidate Sgt. Crisp to the proceeding. In the attempt to unjustifiably accomplish some ulterior or collateral

purpose (The No Jurisdiction Conspiracy) other than resolving the subject controversy on its merits. It is obvious their “the factual contentions have no evidentiary support what-so-ever.” - Ex post facto for example. And “~~not~~ were being presented for ~~any~~ improper purpose” like criminal conspiracy and perjury or violation of jury trial rights. And “the claims, defenses, and other legal contentions are (not) warranted by existing law” where the very documentation presented by the Conspirators are criminal confessions. Yet Totenberg, you took no action against the Conspirators. None of the Conspirators made the motion. But Sgt. Crisp did make the motion for a “Protective Order” and served that motion on the Conspirators – Of course you, Totenberg ignored Sgt. Crisp’s motion. It appears that Totenberg considers all of Sgt. Crisp’s nonfrivolous actions defending against the “Criminalization of Military Service” is frivolous. Judge Totenberg you are bias – **Hater of our military** – you violated the Judicial Code.

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“Federal Rule of Civil Procedure 11 (“Rule 11”) performs a critical, but **OFTEN OVERLOOKED**, function in civil disputes. It imposes a “signing requirement” on attorneys. 1 The rule requires attorneys to certify that their pleadings and motions have a proper purpose by providing their signature as a stamp of approval. 2 By endorsing filings with their signature, attorneys attest that the claims they are submitting on behalf of their clients are supported by law or a good faith extension of the law. 3. and bolstered by evidence.”

33.

Proving The Pseudo- Jurisdiction/Immunity Conspiracy
Totenberg’s Star Chamber Trial - An Unwritten Case Law

“FOR DEPRIVING US IN MANY CASES, OF THE BENEFITS OF TRIAL BY JURY:”

The Declaration of Independence

Conspirator Totenberg aiding and abetting was not to be out done by Conspirator Tate and also violated Sgt. Crisp’s right to a jury trial as well! The Defendants in Totenberg’s Court did file Defenses, Sgt. Crisp did demand a Jury trial and the value in controversy most definitely exceeds twenty dollars, - Therefore a Jury Trial.

Must Occur!

G.A. Constitution Section 1. Paragraph XI. "The Right To Trial By Jury Shall Remain **INVIOLETE**, except that the court shall render judgment without the verdict of a jury in all civil cases where no issuable defense is filed and **WHERE A JURY IS NOT DEMANDED IN WRITING BY EITHER PARTY.**

U.S. Const. 7th Amendment. "In Suits at common law, where the value in controversy shall exceed twenty dollars, **the right of trial by jury shall be preserved,**"

Sgt. Crisp Has Made Written Jury Trial Demands.

33.1.

Conspirator Totenberg's Dismissal Judgement was made in complete and total absence of all jurisdictions. Void Judgement, Jury Trial Rights Violation, Due Process Duty Failure, Omission - Perjury, 18 U.S.C.1001 (a), materially false statements, aiding and abetting the other Conspirators and other criminal violations.

33.2.

Conspirator Totenberg Makes A Criminal Confession That She Knew Of The Impossible Jury Trial Waiver And Was "Ok" With It!

"FOR DEPRIVING US IN MANY CASES, OF THE BENEFITS OF TRIAL BY JURY:"
The Declaration of Independence

In an attempt to aid and abet the Conspirators - Conspirator Totenberg confesses that she knew of the Impossible Jury Trial Waiver in her Exhibit 8, page 12 lines 4-5.

"...he acknowledges waving his right to a jury trial albeit noting that he waved his rights to "save his life."

Therefore, Conspirator Totenberg knew of the legally impossible waiver of jury trial rights and dismissed Sgt. Crisp's action without correcting this violation - Omission, Due Process Duty Failure, 48 U.S.C. 1985/86, Perjury, 18 U.S.C.1001 (a) and other criminal violations. She cannot be a Judge anymore!

33.4.

Totenberg's

Judicial Notice - The Impossible Guilty Plea

Since When Is Telling The Truth A Crime

Conspirator Totenberg lied and confessed to perjury in her judgment (Exhibit 8, page 10, para. 2, Lines 1 and 2) that Sergeant Crisp had "negotiated a guilty plea to the felony charge of impersonation" when she knew Sgt. Crisp did not and could not Confess! Totenberg took Judicial Notice that Sgt. Crisp "confessed truthfully that he was a USAF Officer, and the Conspirators consider that a criminal confession." (Exhibit 8, page 11, para. 2, lines 2-5). Totenberg was and is fully aware that Sgt. Crisp was indeed a USAF (Non-Commissioned/ Security Police) Officer! Conspirator Totenberg believes apparently, **that being a former member of the military is a crime as well** and used Sergeant Crisp's truthful statement above to confirm her **Judicial Notice – Perjury**. Both Conspirators Totenberg and Ross lied that Sgt. Crisp's Military Service is a crime –Omission, Perjury, 18 U.S.C.1001 (a), 48 U.S.C. 1985/86, and other criminal violations.

Conspirators Totenberg and Ross are Anti-American Military Bigots, have no right to sit on the bench and are a Threat To Our National Security!

33.5

Conspirator Totenberg Did Not Correct Conspirators Toole's and Tate's Illegal Acts Of Forcing Sgt. Crisp To Make An Impossible Confession and Wave Jury Trial Rights

And

Dismissed Sgt. Crisp's Action Anyhow

– Perjury, Omission, 18 U.S.C.1001 (a), 48 U.S.C. 1985/86, 18 U.S.C.1001 (a). and other criminal violations

33.6.

Conspirator Totenberg's Heck And Ex Post Facto Omission

Judges Bait And Switch Tactic - To Aid And Abet The Conspirators

In Conspirator Totenberg's Judgement, (Exhibit 8 page 23, lines 3- 6) she

Misquotes *Heck vs. Humphrey* -

"An individual bringing a claim under 42 U.S.C. 1983 must base the pursuit of damages for an **unconstitutional conviction** on the reversal or invalidation of the conviction."

Conspirator Totenberg hoping to deceive Sgt. Crisp created a special proceeding that does not exist so she could aid and abet the Conspirators and so she could **PRETEND** that she could NOT vacate the null and void Unconstitutional Ex post facto conviction - Perjury, Omission, 18 U.S.C.1001 (a), 48 U.S.C. 1985/86, and other criminal violations. Totenburg used this lie to make her materially false judgments.

"It is settled, by decisions of this Court **SO WELL KNOWN** that their citation may (immediately) be dispensed with, that any statute which punishes as a crime an act previously committed, which was innocent when done, ... is prohibited as Ex post facto." *Beazell v. Ohio*, 269 U.S. 167 (1925).

"A void order is an order issued without jurisdiction by a judge and is **void ab initio** and does not have to be declared void by a judge to be void. Only an inspection of the record of the case showing that the judge was without jurisdiction or violated a person's due process rights, or where fraud was involved in the attempted procurement of jurisdiction, is sufficient for an order to be void. *Potenz Corp. v. Petrozzini*, 170 Ill. App. 3d 617, 525 N.E. 2d 173, 175 (1988). A party may have a court vacate a void order, but the void order is still void ab initio, whether vacated or not; *Valley v. Northern Fire & Marine Ins. Co.*, 254 U.S. 348, 41 S. Ct. 116 (1920)"

There Is No Special Judicial Requirement to Overturn Ex Post Facto

"An order that exceeds the jurisdiction of the court is void and can be attacked in any proceeding in any court where the validity of the judgment comes into issue." (See *Rose v. Himely* (1808) 4 Cranch 241, 2 L ed 608; *Pennoyer v. Neff* (1877) 95 US 714, 24 L ed 565; *Thompson v. Whitman* (1873) 18 Wall 457, 21 L ED 897; *Windsor v. McVeigh* (1876) 93 US 274, 23 L ed 914; *McDonald v. Mabee* (1917) 243 US 90, 37 Sct 343, 61 L ed 608.)

"An order that exceeds the jurisdiction of the court, is void, or voidable, and can be attacked in any proceeding in any court where the validity of the judgment comes into issue. (See *Rose v. Himely* (1808) 4 Cranch 241, 2 L ed 608; *Pennoyer v. Neff* (1877) 95 US 714, 24 L ed 565; *Thompson v. Whitman* (1873) 18 Wall 457, 21 L ED 897; *Windsor v. McVeigh* (1876) 93 US 274, 23 L ed 914; *McDonald v. Mabee* (1917) 243 US 90, 37 Sct 343, 61 L ed 608. *U.S. v. Holtzman*, 762 F.2d 720 (9th Cir. 1985)"

Conspirator Totenberg Failed to Vacate The Ex Post Facto – Upon Motion

“No Judge can issue an Ex post facto or allow it to stand! U.S. Const. in Article 1, Section 9, Clause 3 (with respect to federal laws) and Article 1, Section 10 (with respect to state laws). "a court must vacate any judgment entered in excess of its jurisdiction." (*Lubben v. Selective Service System Local Bd.* No. 27, 453 F.2d 645 (1st Cir. 1972).)”

33.7

Totenberg's Rico Lie -Perjury
To Aid And Abet The Conspirators

Conspirator Totenberg lied about GA's RICO law just because she just does not like Sgt. Crisp!
Sgt. Crisp is not required to pay a bond.

O.C.G.A. 16-14-6—"Civil remedies. Upon the execution of proper bond against damages for an injunction improvidently granted and a showing of immediate (there was no immediate) danger of significant loss or damage,"

Injunction Improvidently Never Happened! This is perjury/materially false statement/Fraud
- 18 U.S.C. § 371 and 42 U.S. Code 1985/1986 conspiracy and others. Totenburg used this lie to make her materially false judgments.

33.8.

Totenberg's 42 U.S. Code 1985/1986 Lie – Perjury
To Aid And Abet The Conspirators

Conspirator Totenberg lied that a claim under 42 U.S. Code 1985/1986 only applies to “certain rights of protected classes” only! If Conspirator Totenberg had read a little farther - “the right of any person, or class of persons, to the equal protection of the laws.” Not just protected classes is clearly stated in the laws! This a common lie Judges tell people they don't like, and it comes from the publication *A Construction of Section 1985(c) in Light of Its Original Purpose*, 46 U. Cm L REV. 402, 429-32 (1979). Judges have been quoting it “as” law ever since – This is one of those many UMWITTEN CASE LAWS – used to violate our Constitution! This is perjury and a materially false statement. How ironic, Totenberg engaged in a radical misconceived – avant-garde (omitting part of a law she does not like) about 42 U.S. Code 1985/1986 resulting in

a 42 U.S. Code 1985/1986 violation in this process. Unlawful alteration of a law, Omissions and others! Totenberg used this lie to make her materially false judgments.

33.9

Totenberg

A Judge Should Dispose Promptly Of The Business Of The Court.

Cannon 3, Para. (5)

Conspirator Totenberg you said in your first order that you had all the information you need to make a final judgment. If you had all the information you needed, why did you not make that judgment right then and there? However, you delayed that Judgment for months. Were you hoping to delay for a statute of limitations or probation to run out – Jan 14th, 2022 but Totenberg there is no statute of limitations for continuous and on-going criminal no jurisdiction conspiracies. Oh, you were hoping I would not discover no jurisdiction conspiracies.

34.

Conspirator Ross'

No Immunity – No Jurisdiction

Conspirator Ross Also Knowingly Is Violating Sgt. Crisp's Rights To A Jury Trial

“FOR DEPRIVING US IN MANY CASES, OF THE BENEFITS OF TRIAL BY JURY:”

The Declaration of Independence

Judge Ross in 1:18-CV-2619 aided and abetted by lifting her stay authorizing the Conspirators to conduct an Ex post facto criminal trial of Sgt. Crisp a former USAF SP for saying he was a USAF SP, by enforcing Judge Davis 'null and void judgement/orders, violating the Geneva Convention by criminalizing Sgt Crisp's Military Service, and using DA Porter's and ADA Toole's Perjurious Indictment and closed Sgt. Crisp action. Sgt. Crisp has made several motions to Conspirator Ross to open Sgt. Crisp Action 1:18-CV-2619 case but she refuses – Ross was informed by Sgt. Crisp and she is fully aware of what has happened **AFTER** she closed case where she currently enforcing null and void judgement/orders, an Ex post facto conviction,

violating the Geneva Convention by conviction of Sgt Crisp Military Service, impossible waiver of jury trial rights, impossible confession, and impossible first offender in keeping the case closed. Why? She is aiding and abetting Conspirator Schunk and protecting him from suit and violating Sgt. Crisp's right to the Court. Just because Sgt. Crisp said –

“I WAS A USAF SECURITY POLICEMAN.”

35.

Ross And Totenberg

The Missing Vital Evidence Conspiracy

Judges Provide Their Own Criminal Confessions In Their Own Court Certified Documents.

Totenberg knew and Ross knows now that it was and is impossible for Sgt. Crisp by law: to wave his jury trial rights, to make any confession, accept a First Offender at this **Star Chamber Trial**. Nor can the Conspirators offer or accept such at this at **Star Chamber Trial**! But they did and at times proudly boosted about it in their criminal confession documents before Totenberg's Court. All Conspirators knew this **Jan. 14th Star Chamber Trial** was the **vital missing evidence** that Sgt. Crisp needed to prove the multiple criminal actions identified in this complaint. Totenberg knew if Sgt. Crisp obtained this evidence of the **Jan. 14th Star Chamber Trial**, he could prove all now in this complaint. Which is precisely why Totenberg violated Sgt. Crisp rights multiple times by ignoring his motions to access this transcript of **Jan. 14th Star Chamber Trial**. Further, once Sgt. Crisp did obtain the evidence (Exhibit 6, page 4, lines 12-15) and presented the evidence of an actual **Jan. 14th Star Chamber Trial** with another motion for this transcript to Totenberg! Totenberg **again** ignored all of Sgt. Crisp's motions for this transcript and dismissed the action – hoping the Sgt. Crisp would never piece together all the above. Aiding and Abetting the other Conspirators, 1st Amendment violation – irreparable damage, Jury trial right violation, 1985/86, 241 criminal conspiracy and many others.

36.

Conspirators Ross/ Totenberg - False Pretense Of *Younger Doctrine*
UNWRITTEN CASE LAW

Conspirator Totenberg used *Younger* when there was not criminal trial of Sgt. Crisp occurring – Perjury and a materially false statement. Conspirator Ross aided and abetted by approving of an *Ex post Facto* criminal trial under the false pretense of *Younger* – a materially false statement – Perjury, 18 U.S.C.1001 (a), 48 U.S.C. 1985/86, and other criminal violations. Conspirator Ross granted the Conspirators a criminal trial of a former USAF Security Policeman for saying he was a former USAF Security Policeman - Perjury, 18 U.S.C.1001 (a), 48 U.S.C. 1985/86 and other criminal violations. Conspirator Totenberg knew of the Ex post facto as well but refused to correct the violation - Omission, Perjury, 18 U.S.C.1001 (a), 48 U.S.C. 1985/86 and other criminal violations. Both Conspirators Ross' and Totenberg's Due Process Duty requires them to ensure Sgt. Crisp's rights for "an adequate opportunity to raise federal challenges." Here's the Switch - Which obviously did not and still does not exist in the Conspirators Star Chamber trial of Sgt. Crisp to which Conspirator Totenberg was fully aware and did not correct - Omission - Perjury, 18 U.S.C.1001 (a), 48 U.S.C. 1985/86, and other criminal violations. Conspirator Ross knew before she stayed/closed Sgt. Crisp's action that Sgt. Crisp could not raise federal challenges as she caught Conspirator Davis back dating his orders and dismissing Sgt. Crisp Empirically Correct Free-Speech motion, Due Process rights motion and Motion to Dismiss. Conspirator Ross did not correct Conspirator Davis - 18 U.S.C.1001 (a), 48 U.S.C. 1985/86, and other criminal violations. Further, Conspirator Ross now knows of all the other constitutional rights violations that occurred **AFTER** her stay/close order – Yet she still refuses Sgt. Crisp's motions to open that Action and is attempting to preventing Sgt. Crisp's legitimate legal action

against Dirty Cop Schunk – **a Hater of our Military!** – Omission, Perjury, 18 U.S.C.1001 (a),
48 U.S.C. 1985/86, and other criminal violations.

37.

Ross/Totenberg Denial Of Sgt. Crisp's Free- Speech Rights To Court Documents And Evidence
Unwritten Case Law
To Aid and Abet The Defendants and Other Conspirators.

“Freedom of speech is a principal pillar of a free government; when this support is taken
away, **the constitution of a free society is dissolved, and tyranny is erected on its ruins.**”
Benjamin Franklin

Sgt. Crisp has made multiple free-speech motions to obtain criminal evidence in all his actions. However, Conspirators Ross/Totenberg violated Sgt. Crisp's 1st, 5th and 14th Amendment rights because they both refused ALL of Sgt. Crisp's **Empirical Rights to discovery!** Conspirators Ross/Totenberg know all the above - that's precisely why they would not grant the discovery – Ross/Totenberg wanted to cover it up too - 42 U.S.C 1985/86. Of course, Sgt. Crisp knew that he could not guilty plea or wave his jury trial rights and tried to object - But what could Sgt. Crisp do as they had a gun held to his family's head. Sgt. Crisp motioned for the “wavier of jury trial rights” document that Sgt. Crisp **supposedly** signed – Totenberg refused. Sgt. Crisp also motioned for the return of his flag to both Ross/Totenberg – both refused. But Defendant Toole in violation of *Mapp v. Ohio*, 367 U.S. 643 (1961) tendered Sgt. Crisp's USAF Flag and SP display as criminal evidence at the Jan 14th Star Chamber Trial – Perjury and disguising evidence (16-10-94 and 16-10-20). Therefore, Sgt. Crisp would have the right to show the Flag and SP Display to a jury as well!

**THE STATE OF GEORGIA HAS BANNED THE PUBLIC DISPLAY OF
THE USAF FLAG JUST BECAUSE THEY HATE OUR MILITARY!**

(Glasson v. City of Louisville, 518 F. 2d 899 (6th Cir.), cert. denied, 423 U.S. 930 (1975).)

**ANYONE WHO SAYS THE UNITED STATES AIR FORCE FLAG AND
SECURITY POLICE DISPLAY IS CRIMINAL EVIDENCE IS A LIER,
PERJURER, AND HATER OF OUR MILITARY.**

38.

The USAF Flag And SP Display -To Aid And Abet The Conspirators

Here's why both Ross and Totenberg would not grant Sgt Crisp's motions for the USAF Flag and SP display. Any Jury (as most Americans love and Honor our military) upon seeing this flag and SP display would be utterly enraged by such outrageous **Anti- Military Bigotry and Hate** - They would destroy the all the conspirators with Massive Damages for attempting to pretend these are criminal evidence. Both Ross/ Totenberg want to protect the other conspirators from such massive damages, having violated Sgt. Crisp 1st 4th and 5th Amendment rights and conspired with their fellow co-conspirators to cover-up this 4th Amendment violation - 42 U.S.C. 1985/86 and others. Here we have judges using their Judicial Power to prohibit and soon destroy evidence that could be used against them in future proceedings and possible criminal proceedings - The ultimate conflict of interest! In fact, Conspirators Ross/Totenberg have ignored all of Sgt. Crisp's motions altogether, pretending they do not exist - Omission, Dues Process Duty Failure, violated Sgt. Crisp's 1st (irreparable damages) 4TH and 5th Amendment rights, 18 U.S.C.1001 (a), 48 U.S.C. 1985/86, and other criminal violations.

38.1

Why Conspirators' Ross And Totenberg Did This To Sgt Crisp

First and foremost, they Hate our American Military and they wanted to convince Sgt. Crisp that he had no chance of ever getting justice.

39.

Conspirators Totenberg/ Ross/Tate/Davis Orders and Judgements Are Void.

Void Due to Lack of Jurisdiction

10 U.S. Code Chapter 47 - UNIFORM CODE OF MILITARY JUSTICE, §817. Art. 17. Jurisdiction of courts-martial in general and §821. Art. 21. Jurisdiction of courts-martial not exclusive.

And

“U.S. Const Article III, Section 2, Clause 3: The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.”

and

Void In Violation of Due Process

“Due Process is a requirement of the U.S. Constitution. Violation of the United States Constitution by a judge deprives that person from acting as a judge under the law. He/She is acting as a **private person**, and not in the capacity of being a judge (and, therefore, has no jurisdiction). The United States Supreme Court, in *Twining v. New Jersey*, 211 U.S. 78, 29 S.Ct. 14, 24, (1908), stated that “Due Process requires that the court which assumes to determine the rights of parties shall have jurisdiction.”; citing *Old Wayne Mut. Life Assoc. V. McDonough*, 204 U. S. 8, 27 S. Ct. 236 (1907); *Scott v McNeal*, 154 U.S. 34, 14, S. Ct. 1108 (1894); *Pennoyer v. Neff*, 95 U.S. 714, 733 (1877); *Johnson v. Zerbst*, 304 U.S. 458, 58 S.Ct. 1019; *Pure Oil Co. v. City of Northlake*, 10 Ill.2d 241, 245, 140 N.E. 2d 289 (1956); *Hallberg v Goldblatt Bros.*, 363 Ill 25 (1936); Did not follow statutory procedure, *Armstrong v. Obucino*, 300 Ill 140, 143 (1921).”

and

Void In Violation of The Constitution

“Officers of the court have no immunity, when violating a Constitutional right, from liability. For they are deemed to know the law.” -- *Owen v. Independence*, 100 S.C.T. 1398, 445 US 622; *Scheuer v. Rhodes*, 416 U.S. 232.

and

“The limitations inherent in the requirements of due process and equal protection of the law extend to judicial as well as political branches of government, so that a judgment may not be rendered in violation of those constitutional limitations and guarantees. *Hanson v Denckla*, 357 US 235, 2 L Ed 2d 1283, 78 S Ct 1228 and judgment is based on the Conspirators Ex post facto void order/judgment, *Austin v. Smith*, 312 F 2d 337, 343 (1962).”

And

39.1

Void in Violation of the Right to be Heard

AN UNWRITTEN CASE LAW IS TO NOT BOUGHTER

Sergeant Crisp Made Multiple DEMANDS for a Hearing!

"It is a fundamental doctrine of law that a party to be affected by a personal judgment must have his day in court, and an **opportunity to be heard**. *Renaud v. Abbott*, 116 US 277, 29 L Ed 629, 6 S Ct 1194. Every person is entitled to an opportunity to **be heard in a court** of law upon every question involving his rights or interests, before he is affected by any judicial decision on the question. *Earle v McVeigh*, 91 US 503, 23 L Ed 398. A judgment of a court without hearing the party or giving him an opportunity to be heard **is not a judicial determination of his rights**. *Sabariego v Maverick*, 124 US 261, 31 L Ed 430, 8 S Ct 461, and is not entitled to respect in any other tribunal." "The essential elements of due process of law are notice, an **opportunity to be heard**, and the right to defend in an orderly proceeding." *Fiehe v. R.E. Householder Co.*, 125 So. 2, 7 (Fla. 1929). "An orderly proceeding wherein a person is served with notice, actual or constructive, and has an **opportunity to be heard** and to enforce and protect his rights before a court having power to **hear** and determine the case. *Kazubowski v. Kazubowski*, 45 Ill.2d 405, 259, N.E.2d 282, 290." Black's Law Dictionary, 6th Edition, page 500. Canon 3A (2), and (4) and COMMENTARY Canon 3A (3) and (5), denying the full right to be heard according to law.

39.2

Void Due to Anti-American Military Bigotry

Sgt. Crisp has proven Totenberg/Ross Are Anti- American Military Bigots
Bracey v. Warden, U.S. Supreme Court No. 96-6133(June 9, 1997).

39.3

Void By Violating Their Oath of Office Unwritten Case Law Allows Them Too

Cooper v. Aaron, 358 U.S. 1, 78 S. Ct. 1401 (1958) Any judge who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in violation of the supreme law of the land. The judge is engaged in acts of treason.

and

The U.S. Supreme Court has stated that "no state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it". See also *In Re Sawyer*, 124 U.S. 200 (188); *US. v. Will*, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed 257 (1821).

39.4

Void By Legal Fiction - Granting Themselves and The Other Conspirators Absolute Immunity While Denying Injunctive Relief. Yeap, Unwritten Case Law Again

Pulliam v. Allen - 466 U.S. 522, 104 S. Ct. 1970 (1984)

"The Supreme Court... **never had a rule of absolute judicial immunity** from prospective relief, and there is no evidence that the absence of that immunity has a chilling effect on judicial independence. None of the seminal opinions on judicial immunity, either in England

or in the United States, have involved immunity from injunctive relief. No court of appeals ever has concluded that immunity bars injunctive relief against a judge. At least seven circuits have indicated affirmatively that there is no immunity bar to such relief, and in situations where in their judgment an injunction against a judicial officer is necessary to prevent irreparable injury to a petitioner's constitutional rights, courts will grant that relief.”

39.5

Void By Jury Trial Rights Violations

This Is The Judges Most Popular Unwritten Case Law!

Magna Carta clauses 39 and 40, US. Constitution 6th and 7th Amendments, “U.S. Const. Article III, Section 2, Clause 3, G.A. Constitution Section 1. Paragraph XI and 10 U.S. Code Chapter 47 - UNIFORM CODE OF MILITARY JUSTICE; VII. Trial Procedure. 836; VIII. Sentences. 855; IX. Post-Trial Procedure and Review of Courts and APPENDIX 2 UNIFORM CODE OF MILITARY JUSTICE Subchapter IV. Court-Martial Jurisdiction. Section 816. Article 16.

Void By Enforcing Void Orders/Judgments /Ex post facto

Austin v. Smith, 312 F 2d 337, 343 (1962); *English v. English*, 72 Ill. App. 3d 736, 393 N.E. 2d 18 (1stDist. 1979), U.S. Constitution Article I, Section 9, Clause 3, *Thompson V. The State* No. S04A0699 Supreme Court of Georgia September 27, 2004, *Hamm v. Ray*, 272 Ga. 659, 531 S.E.2d 91 (2000). See also *Beazell v. Ohio*, 269 U.S. 167, 169, 46 S. Ct. 68, 70 L. Ed. 216 (1925), Georgia Constitution Art. I Paragraph X and 10 U.S. Code Chapter 47 - UNIFORM CODE OF MILITARY JUSTICE, §817. Art. 17. Jurisdiction of courts-martial in general and §821. Art. 21. Jurisdiction of courts-martial not exclusive.

And

Void By Criminalizing American Military Service and Sgt. Crisp's Right To War.

U.S. Constitution Article I, Section 8, Clause 16 and The 1st Amendment, Geneva Convention Articles 3, 4, and 5. 10 U.S. Code Chapter 47 - UNIFORM CODE OF MILITARY JUSTICE, §817. Art. 17. Jurisdiction of courts-martial in general and §821. Art. 21. Jurisdiction of courts-martial not exclusive.

40.

Void By Regional Governance Conspiracy

5 U.S.C 7311 – Executive Order 10450 – 5 U.S.C. 3331- 18 U.S.C. 2384

Judges Second Most Popular - Unwritten Case Law

“For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:”

The Declaration Of Independence

**All Conspirators Are Guilty of -
The Ultimate Perjury of Converting Sgt. Crisp's Military Service into a
Crime Just Because They Hate Us.**

Title 5, US Code Sec. 556(d), Sec. 557, Sec. 706 - Courts lose jurisdiction if they do not follow Due Process. All conspirators have acted in complete and total absence of all Jurisdictions by the ultimate perjury that converts Sgt. Crisp's military service into a crime and violating free-speech rights - 18 U.S.C. 1001 (a), 48 U.S.C. 1985/86, and other criminal violations. The Constitution itself in Article I, Section 8, Clause 16 gives Sgt. Crisp the Empirical right to be and to say, "**I was a USAF Security Policeman**". Sgt. Crisp committed no crime! With this conversion both Conspirators Ross and Totenberg with all conspirators **have altered our form of government** without jurisdiction to do so. **This is Treason**, Perjury, Sedition, Seditious Conspiracy, 18 U.S.C. 1001 (a), 48 U.S.C. 1985/86, and many other criminal violations.

Yates v. Village of Hoffman Estates, Illinois, 209 F. Supp. 757 (N.D. Ill. 1962), Scheuer v. Rhodes, 416 U.S. 232 (1974), United States v. Will, 449 U.S. 200 (1980) and Cohens vs Virginia, 19 U.S. (6 Wheat.) 264 (1821).

40.1.

Void By

18 U.S. CODE § 2384 - SEDITIOUS CONSPIRACY

As previously documented all Defendants have participated in the REGIONAL GOVERNANCE CONSPIRACY and have violated 18 U.S. Code § 2384 by using violent force, **legal force**, psychological force (**for this Sgt. Crisp to kill himself**) and economic force against this Sgt. Crisp as previously documented.

40.2.

All Oaths Taken By All Conspirators Are Violating Both Federal And State Treason Laws
When the Defendants forced the Ex Post Facto Trial upon the Plaintiff they **attempt to overthrow** the representative and **constitutional form of government of the state** and are **attempting now to overthrow** the representative and **constitutional form of government of the state**.

G.A. Constitution - Paragraph Xix. **Treason.**

Treason against the State of Georgia shall consist of **insurrection** against the state, adhering to the state's enemies, or giving them aid and comfort.

GA Code § 16-11-2 (2015)

(a) A person commits **the offense of insurrection** when he combines with others **to overthrow or attempt to overthrow** the representative and **constitutional form of government of the state** or any political subdivision thereof when the same is manifested by **acts of violence**.
(Schunk – 3 Counts Kidnapping, 2 Counts False Arrest, 2 Counts False Imprisonment, 2 Counts

- unreasonable confinement upon a disabled adult O.C.G.A. §16-5-102, forced Ex Post Facto -

No Jury Trial and Forced 3 Years' Probation)

GA Code § 16-11-4 (2015)

(b) A person commits the offense of **advocating the overthrow of the government** if he knowingly and willfully commits any of the following acts:

(1) **Advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing** or destroying the government of the state or any political subdivision thereof by **(legal) force or violence**.

41.

All Conspirators - Dishonesty

All Conspirators know that Sgt. Crisp was a USAF Security Policeman. Because all conspirators have been served Sgt. Crisp's Military Records. All Conspirators also know that "**Was an Officer with The United States Air Force.**" is not a crime – but exercise of free speech. All Conspirators also knows that there is no Georgia Public Officer or Employee with the title of "**Was an Officer with The United States Air Force.**" All the Conspirators in fact, failed to even identify what Georgia Public Officer or Employee that Sgt. Crisp supposedly impersonated.

All Conspirators are simply being dishonest.

42.

State Of Georgia/Gwinnett County

"You are going to send the GA State Death Squad to assassinate my family and me!"

This Sgt. Crisp wants you to know that an unknown Gwinnett County Agent shoved what looked like an AR-15 so hard into my face that I have a scar from that AR-15. The Producer's technicians have found a Gwinnett County Police Patch in the video. These technicians were very dedicated to finding out who this Agent is because of his Anti- Military rant right in front of 2 cameras. There were at least 2 fire teams that had surrounded my truck! Sgt. Crisp's truck has several hidden cameras including night vision. This Agent, said, "I hate the F**king military. One day we are going to kill every single one of you F**king Mother F**kers. How dare a White man like you marry a Slut Whore Chink (Asian) and have a F**king half-breed piece of s*** son with her. Traitors to the White Race like you and all the military should be a** Raped and pluck out an eye and skull F**k you. You will wave your Jury Trial Rights when Ms. Toole gives you this phrase "OMITTED". You will accept the First offender offer that Ms. Tool will make to you. If you refuse, we will a** rape your wife and piece of s**t son right in front of you. Then we will inject them with "garbled" and they will die very painfully. Then we will hang you in your own home with a sign around your Traitors to the White Race. And we will just call it a murder-suicide."

And

Likely Georgia Death Squad Assassination Attempt

Sgt. Crisp was working in Buckhead, G.A. on April 26th, 2021, at the Camden Construction site, 3300 Roswell Rd. Sgt. Crisp was shot in the back with a very cold projectile, by unknown persons. Likely from the Government because they are the only ones that have a reason to murder Sgt. Crisp. Sgt. Crisp was shot in the back with a "Frangible bullet or poison Dart" A high-end assassination munition that dissolves – this prevents ballistics that can be used to identify the firearm used. Sgt. Crisp was not seriously injured as it resulted in a small hole in

Sgt. Crisp's back that has never healed. Sgt. Crisp can remove his shirt and show it to you now! Poison darts are in common use with various governments to... Silence. It is often said that such poisons are not detectable – this is not true. A highly skilled, specialized and equipped medical examiner can detect them. Once discovered, proof of it is very easy – how can an exceptionally rare and specialized shellfish toxin or other toxins that kills within minutes get inside of Sgt.

Crisp??? You should know that toxic shellfish are not just laying around a Buckhead

Construction site. The bullet/dart was temporarily stuck in Sgt. Crisp's personal protection and was visible for a moment then dissolved! Several witnesses saw the Frangible bullet/dart. Now why would so many people be looking at Sgt. Crisp at the time? Sgt Crisp is a construction safety "**cop**" – (which has nothing to do with law enforcement). And when Sgt. Crisp conducts his safety inspections – **everyone is looking at me!** Additionally, slight damage was done to Sgt. Crisp's personal protection – the Hollywood producer has it! Medical treatment was provided the Atlanta VA Hospital. Photos of the gunshot/dart injury, VA medical reports, 3 witness statements with sworn affidavits and several recordings of the very small bullet or dart were obtained – Camden Construction and the surrounding area has HD cameras EVERY WHERE! The best recording came from the rear HD camera mounted on the back of the Sgt. Crisp's hardhat. Slow motion clearly shows to projectile moving towards him. Sgt. Crisp always has cameras on his person – that download live online 24/7/365. All evidence was provided to the Hollywood Producer who is absolutely overjoyed and ecstatic. The first reaction was "Cliff Hanger." "Will the evil American government criminals kill our hero or will he miraculously survive." Sgt Crisp is certain he, she or they will exaggerate and over dramatize this shooting as we were prepared for it. There is nothing heroic about Sgt. Crisp. I am simply fulfilling my oath to defend the Constitution, protect our Military and searching for the truth about my own

Government – is it good or evil. The Hollywood Producer asked Sgt. Crisp to document this assassination attempt in this complaint for the record so it can be referred too in the motion picture.

43.

State Of Georgia/Gwinnett County
The Nexis Conspiracy Laws

“If there is a sufficiently close "nexus" between the private actor's conduct and the state, then for constitutional purposes the state may **be liable** for the private actor's conduct. *See Burton v. Wilmington Parking Auth.*, 365 U.S. 715, 724 (1961)

Proof of the Nexis Conspiracy - But The State of Georgia boosted about giving

STATE Immunity to Porter, Davis, Browning and assigned another state employee

to defend them - **Champlin IV.**

and

\$\$\$\$\$\$\$\$\$\$\$\$

“INACTION/ACTION: In many state inaction cases, the presence of "state action" is assumed without discussion. For example, in due process cases the state's failure to conform to the requirements of procedural regularity (an Ex Post Facto adjudication or no jurisdiction) are usually found to violate the fourteenth amendment... See, e.g., *Goldberg v. Kelly*, 397 U.S. 254 (1970).”

and

“But when the state by its inaction has broken its own promise (Like the GA Constitution), it may not **escape liability** by invoking an artificial distinction between action and inaction. In most inaction cases, the Plaintiff seeks compensation for all injuries "**caused**" by the state's **failure to act**. Where the state's obligation under section 1983 is determined by tort principles, this remedy is uncomplicated; the state will be liable to the same extent as any tortfeasor.”

And

See Bowers, 686 F.2d at 618. After noting that "[t]he Constitution is a charter of negative liberties," Judge Posner nevertheless declared that "[i]f the state puts a man in a position of danger from private persons and then fails to protect him, it will not be heard to say that its role was merely passive; it is as much an active tortfeasor as if it had thrown him into a snake pit." This "position of danger" test operates exactly as a "special relationship" to expose the state to section 1983 liability for failure to act.

and

\$\$\$\$\$\$\$\$\$\$\$\$

MONEY DAMAGES AGAISNT GEORGIA

“Any of the federal statutes that are grounded on the enforcement clause of the..., Fourteenth... Amendment, then even private actions against the state or state agency, **seeking money damages** (including **punitive damages** as well as attorney fees), may be brought in federal

court, as provided by Congress. Congress's authority under § 5 of the Fourteenth Amendment to abrogate states' Eleventh Amendment immunity is strongest when a state's conduct at issue in a case is alleged to have actually violated a constitutional right. In *United States v. Georgia*, 120 Fed. Appx. 785"

and

"A unanimous Court found that **money damages** were based on conduct that independently violated the provisions of the Fourteenth Amendment, they could be applied against the state. For the purposes of money damages, **section 1983 makes the state liable for the consequences of the constitutional deprivation**. See 42 U.S.C. § 1983 (1982) (making the injuring party liable "for redress"); *Carey v. Piphus*, 435 U.S. 247, 257 (1978) ("damage awards under § 1983 should be governed by the principles of compensation").

And

Under GA Code 50-21-29 "The state shall have no liability for losses resulting from:" Georgia provides a list regarding several subjects that it will not pay for losses. However, the complete and total lack of all jurisdictions and Ex post facto is not on that list.

And

"For federal funds provided to Georgia, the Supreme Court has held that Congress can make state or state agency acceptance of statutory provisions authorizing private actions for money damages to be brought against them in federal court an express condition of funding eligibility. The receiving state is bound by its waiver of immunity and liable to answer even to privately brought suits for money damages in federal court."

43.1.

Proving The Nexis Conspiracy

Davis, Porter, Toole, Schunk, Tate, Browning, **Champlin IV** are State Employees.

All criminal acts of these State employees documented in this complaint is proof of the Nexis Conspiracy.

43.2

Proving The Nexis Conspiracy

Brittanie Browning Assistant Attorney General Georgia 42 U.S. Code § 1985/86!

Libel And Defamation Of Character!

Browning - Your Inaction and Actions in this manner are Empirical proof of the NEXIS CONSPIRACY authorizing a Civil Action Against the State Georgia! Browning made her criminal confessions in Exhibit 9, Lines 5-8: that you knew of Plaintiffs attempt to dismiss the Ex Post Facto "underlying criminal case;" (Inaction). Browning knew about the Plaintiff's

“recusal of Judge Davis” to “void all of Judges Davis’ prior (back – dated) Orders (felony - O.C.G.A. 16-10-8) in the criminal case;” (Inaction). Browning read this Plaintiffs motion of dismissal and knew Davis was engaged in an Ex Post Facto. (Inaction). Browning read the Plaintiffs Case Number S1900186 that was filed because of Judges Davis’ prior illegal (back – dated) Orders. (Inaction). “Browning knew Davis was violating the Georgia “law regarding military discharge documentation” for admission as evidence; (Inaction). Browning knew that Judge Davis was going to force this Sgt. Crisp to “” testify against himself.”” (5A right) (Inaction). Browning should have known that Davis was acting in complete and total absence of jurisdiction. Browning did not stop Davis’s crimes (Inaction). Browning most certainly had the power to stop Davis (Inaction) - Felony 42 U.S. Code § 1985/86 and others! Browning aiding and abetting Davis (U.S. Code 2 – Principals and O.C.G.A. 16-2-20). Browning joined the Ex Post Facto Conspiracy (Action) and Military Records Conspiracy (Action).

43.2.1

Judge Totenburg Confesses She Knew All About Browning’s Obstruction of Justice and Anti-Military Bigotry.

See Exhibit 8. Page 10. para 1. Totenburg was OK with it and used it to issue her own Judgment.

43.3.

Additionally, Browning aided and abetted Davis by making obvious Materially False Statements (Action) in your Exhibit 9: " However, Mr. Crisp does not include *any* argument in his petition for the Court to grant these extraordinary remedies,” (Action) And “nor does he argue why he should not avail himself of the alternative remedies available to him through the course of litigating the underlying (an Ex Post Facto) criminal case.” Browning knew the criminal case was Ex Post Facto because she read Davis’ retro-dated orders in the Mandamus and Sgt. Crisp’s Motion to Dismiss that identified the criminal case as Ex Post Facto multiple times – that’s why

Davis illegally back-dated and dismissed Sgt. Crisp's motions to start with and why this Sgt. Crisp's filed the Mandamus: And "An invocation of this Court's original jurisdiction against a sitting superior court judge is improper absent extraordinary circumstances, none of which are present here." Well of course the G.A Supreme Court did not know about the extraordinary circumstance because Browning (obstruction of Justice) concealed the above crimes from the G.A. Supreme Court (Action) –State Felony O.C.G.A 16-10-20 and Federal Felony 42 U.S. Code § 1985/86. Conspiracy to interfere with civil rights. To successfully deceive GA Supreme Court into making an UNCONSTITUTAL ORDER – (Action).

43.4.

Browning aids and abets DA Porter by a motion to the Federal District Court (Exhibit 9) with multiple obvious materially false statements – (Action)! Sgt. Crisp will address only one. Porter is not immune at all and even if he is a State officer (ICCPR Part 2 Article 2, para 3) he is still a criminal no matter what, and so are you Browning – no immunity. Laws Violated: O.C.G.A. 16-10-20, 16-10-20.1. Filing false documents, O.C.G.A. 16-10-8 and O.C.G.A. 16-4-8, O.C.G.A. 16-2-20 and a lot more.

43.5.

Browning, only an **Anti-Military Bigot** would confess in your document to opposing the Georgia Laws regarding the admission of Military Discharge records in a Court. Browning your success in deceiving the G.A. Supreme Court emboldened and enabling Toole, Davis, Porter and Tate during the Jan. 14th, 2019 Ex Post Facto trial where ADA Toole mentioned my honorable discharge because there was no longer a need for the Military Records Conspiracy. You, Browning made the Ex Post Facto Trial a success from your criminal efforts! Browning documented all in her criminal confession in Exhibit 9 and sent it to the GA Supreme Court and too this Sgt. Crisp as well!!!!

44.Proving The Nexis ConspiracyState Of Georgia/Gwinnett County - Federal Rico Conspiracy

18 U.S. Code § 1961. See Schunk, Porter, Davis, Toole, Ross, others: 18 U.S. Code § 1961. (1)

“racketeering activity” means (A) any act or threat involving... kidnapping, ...robbery, ... extortion...which is chargeable under State law and punishable by imprisonment for more than one year; (B) any act which is indictable under any of the following provisions of title 18, United States Code: section 1503 (relating to obstruction of justice), (Porter, Davis, Toole, Ross, Williams, Weed, Gwinnett County Law Office, Browning, Totenberg and Ross), section 1510 (relating to obstruction of criminal investigations) (Schunk, Porter, Davis, Toole, others), section 1512 (relating to tampering with a witness, victim,...) (Schunk, Porter, Davis, Toole, Tate others), section 1513 (retaliating against a... victim,... Totenberg, Ross and all other Conspirators),... (5) “pattern of racketeering activity” requires at least two acts of racketeering activity,...

44.1.Proving The Nexis Conspiracy

State of Georgia/Gwinnett County -Georgia Racketeer Influenced And Corrupt Organizations
O.C.G.A. 16-14-3. Definitions. (8) "Pattern of racketeering activity" means: (A) Engaging in at

least two acts of racketeering activity in furtherance of one or more incidents, schemes... or similar intents, results, accomplices, victims, or methods of commission or otherwise are interrelated by distinguishing characteristics and are not isolated incidents,...(B) Engaging in any one or more ACTS OF DOMESTIC TERRORISM as described in subsection (a) of Code Section 16-4-10... or criminal conspiracy (All Defendants) related thereto. (9)(A) "Racketeering activity" means to commit, to attempt to commit, or to solicit, coerce (all State/County conspirators), or intimidate another person to commit any crime (Tate, Porter, Toole) which is chargeable by indictment under the following laws of this state: (ix) Article 1 of Chapter 8 of

this title, relating to theft; (x) Article 2 of Chapter 8 of this title, relating to robbery; xv) Article 4 of Chapter 10 of this title and Code Sections 16-10-20, 16-10-23, and 16-10-91, relating to perjury and other falsifications (Toole and Tate forced Sgt. Crisp to commit confession, waiver of jury trial rights); (xvi) Code Section 16-10-94, relating to tampering with evidence (Schunk, Porter, Toole, Tate, Davis); (xxix) Any conduct defined as "racketeering activity" under 18 U.S.C. Section 1961 (1)(A), (B), (C), and (D) (all Defendants); (xxx) Article 3 of Chapter 5 of this title, relating to kidnapping, false imprisonment, and related offenses,... (Schunk, Porter, Toole, Davis, Tate); (xxxiii) Code Section 16-10-32, relating to tampering with witnesses, (Schunk, Porter, Toole, Davis); (B) "Racketeering activity" shall also mean any act or **threat** involving murder (unknown Gwinnett County Police), kidnapping (Schunk)),... robbery, theft, receipt of stolen property, (Schunk) ... extortion, (Toole, Porter, Tate) obstruction of justice, (Totenberg, Ross, Browning, Toole, Tate, Porter, Schunk, Davis and others) ... or any of the several states and which is punishable by imprisonment for more than one year.

44.2.

State Of Georgia/Gwinnett County – The Nexis Conspiracy The Crime Of Treason – All Conspirators Are Traitors And Includes All That Aided And Abetted Them

Re Sawyer, 124 U.S. 200 (188); *U.S. v. Will*, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed 257 (1821). *Cooper v. Aaron*, 358 U.S. 1, 78 S. Ct. 1401 (1958). *The Court in Yates v. Village of Hoffman Estates, Illinois*, 209 F.Supp. 757 (N.D. Ill. 1962). *Scheuer v. Rhodes*, 416 U.S. 232, 94 S.Ct. 1683, 1687 (1974), *U.S. v. Will*, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821);

45.

Gwinnett County - U.S.C. 1983

If this is not proof and practice of a policy under USC 1983 – then nothing can ever be a proof and practice of a policy.

Beck v. City of Pittsburgh, 89 F.3d 966, 971 (3d Cir. 1996); *Bielewicz v. Dubinon*, 915 F.2d 845, 850 (3d Cir. 1990); *see also Board of County Com'rs of Bryan County, Okl. v. Brown*, 520 U.S. 397, 404 (1997).

46.

All Conspirators have engaged in 100's of counts of either Slander or Libel or both and all engaged in Defamation of Character GA Code 51-5-1. Others have engaged in U.S.C. 1001 and 16-10-20 Violations as well.

"The Petition Clause does not provide absolute immunity to defendants charged with expressing libelous and damaging falsehoods in petitions to Government officials... it does not follow that the Framers of the First Amendment believed that the Petition Clause provided absolute immunity from damages for libel. In 1845 this Court, after reviewing the common law, held in *White v. Nicholls*, 3 How. 266, that a petition to a Government official was actionable if prompted by "express malice," which was defined as "falsehood and the absence of **PROBABLE CAUSE**," and nothing has been presented to suggest that that holding should be altered."

Mcdonald V. Smith Certiorari To The United States Court Of Appeals For The Fourth Circuit
No. 84-476. Argued March 20, 1985-Decided June 19, 1985

46.1.

O.C.G.A. 51-5-8 is not applicable as there is no jurisdiction thus O.C.G.A. 51-5-4 para (a)(1) is actionable.

GA Code 51-5-4 Special damage has occurred. Note: Sgt Crisp's pseudo and unlawful probation ended Jan 14th, 2022. Yet Sgt. Crisp's falsified "Criminal" records have not been cleared as agreed to in the first offender act - (Exhibit 10). Sgt. Crisp would normally sue for this violation, but the 1st Offender was not lawful regardless! Sgt. Crisp has endured dishonor, insult, and loss of employment opportunities for more than 3 years now!

It is truly the intent of this military hating Anti-Constitutional Ruling Class to punish Sgt. Crisp for the rest of his life for saying "I was a USAF Officer."

"Hence the knowingly false statement and the false statement made with reckless disregard of the truth, do not enjoy constitutional protection." *Garrison v. Louisiana*, 379 U. S. 64, 75 (1964) and *Chaplinsky v. New Hampshire*, 315 U. S. 568, 572.

46.2

O.C.G.A. 51-6-1/2 and 18 U.S.C. § 371.

All Conspirators (Including Federals) Have Obviously Engaged In Hundreds of Counts of Fraud and Deceit.

Hass v. Henkel, 216 U.S. 462 (1910), and Hammerschmidt v. United States, 265 U.S. 182 (1924). Tanner v. United States, 483 U.S. 107, 128 (1987); see Dennis v. United States, 384 U.S. 855 (1966). United States v. Tuohey, 867 F.2d 534, 537 (9th Cir. 1989). *United States v. Burgin*, 621 F.2d 1352, 1356 (5th Cir.), cert. denied, 449 U.S. 1015 (1980); see *United States v. Herron*, 825 F.2d 50, 57-58 (5th Cir.); *United States v. Winkle*, 587 F.2d 705, 708 (5th Cir. 1979), cert. denied, 444 U.S. 827 (1979). Thus, proof that the United States has been defrauded under this statute does not require any showing of monetary or proprietary loss". *United States v. Conover*, 772 F.2d 765 (11th Cir. 1985), aff'd, sub. nom. *Tanner v. United States*, 483 U.S. 107 (1987); *United States v. Del Toro*, 513 F.2d 656 (2d Cir.), cert. denied, 423 U.S. 826 (1975); *United States v. Jacobs*, 475 F.2d 270 (2d Cir.), cert. denied, 414 U.S. 821 (1973).

and

"Thus, if the defendant and others have engaged in **dishonest practices** in connection with a program administered by an agency of the Government, it constitutes a fraud on the United States under Section 371." *United States v. Gallup*, 812 F.2d 1271, 1276 (10th Cir. 1987); *Conover*, 772 F.2d at 771. In *United States v. Hopkins*, 916 F.2d 207 (5th Cir. 1990).

and

"The intent required for a conspiracy to defraud the government is that the defendant possessed the intent (a) to defraud,...that the defendant **performed acts or made statements** that he/she **knew to be false, fraudulent or deceitful** to a government agency, which disrupted the functions of the agency or of the government. See *United States v. Puerto*, 730 F.2d 627 (11th Cir.), cert. denied, 469 U.S. 847 (1984); *United States v. Tuohey*, 867 F.2d 534 (9th Cir. 1989); *United States v. Sprecher*, 783 F. Supp. 133, 156 (S.D.N.Y. 1992)

47.

The Geneva Convention Article 3
Is Sgt. Crisp An Unlawful Combatant?

In *Prosecutor vs. Tadic*, it was observed that the common article 3 of the Geneva Convention was declaratory of customary international law.

"The term "unlawful combatant" is used to refer to an individual who belongs to an armed group, in a context where **either the individual or the group do not fulfil the conditions for combatant status**. The term was employed by the administration of President George W. Bush of the United States in its 'global war on terror' to describe persons who are, in its view, neither combatants nor civilians but belong to a third category of persons who can be attacked at any time and can be detained indefinitely without trial."

President Bush's definition above could not possibly be more vague. Currently,

there is no specific criteria to establish who is an unlawful or belligerent combatant. If this Honorable Court decides against Sgt. Crisp it could result in serious danger to Sgt. Crisp and other members of our military under - The Geneva Convention Article 3, 4, and 5. If Sgt. Crisp saying **"I was a USAF Security Policeman"** is a confession of crime according to all Conspirators. Then Sgt. Crisp was arrested, jailed, adjudicated of the crime of being a former USAF Security Policeman. This included Sgt. Crisp's wartime service! Yes, our enemies have the ability of doing and will do background checks on prisoners of war. They can even access and open First Offender convictions. If our enemies are unsure of the status of Sgt. Crisp and they will most certainly question my status after reading the above. Then under International Law if Sgt. Crisp is captured our enemies can place Sgt. Crisp on trial (and almost certainly will for propaganda purposes) to determine his status - if he is lawful or unlawful. All the Conspirators have provided all the evidence an **ENEMY NATION** needs to execute Sgt. Crisp (or any military member) as a "unlawful/ belligerent combatant. Many enemy nations already know of these Conspirators actions against Sgt. Crisp! Sgt. Crisp can hardly make the argument that he is not an unlawful/belligerent combatant when my own State of Georgia has adjudicated Sgt. Crisp for going to war. And Federal District Conspirator Totenberg has taken a Judicial Notice that Sgt. Crisp saying he **WAS** a USAF (SP/NCO) is a criminal confession Exhibit 8 page 11. Footnote 9. Yet another Federal District Conspirator Ross authorized the criminal trial of Sgt. Crisp a former USAF SP for saying he **WAS** a USAF SP.

**It is obvious that Sgt. Crisp does not fulfil the conditions for LAWFUL
combatant status.**

This Is A Threat To National Security! If Sgt. Crisp is captured, he will be condemned to death as a war criminal. Fact is that every military person from Georgia (and likely any American Military) could face the very same fate because there is no difference in Sgt. Crisp's service and anybody else's service. Sgt. Crisp is on notice that he may be recalled into the USAF CLCM Defenders – a Special Forces Branch of the former USAF Security Police; Regardless of his age or disability – if Russia would use nuclear weapons on NATO and possibly Japan or Taiwan to deter China. Sgt. Crisp will refuse this recall because it is a crime for Sgt. Crisp to engage in military actions – So says Totenberg/Ross/Tate/ Toole/ Porter/Davis/State of Georgia, Gwinnett County and now the United States Government. Sgt. Crisp will have to sue DOD and the Secretary of Defense (SOD) as soon as possible to protect ALL our military from being unlawful combatants. This can not really wait! Sgt. Crisp is in fact preparing this complaint now against DOD and SOD and will provide the required notice soon! Once our Military is safe – Sgt. Crisp would be thrilled to wear the Uniform again.

48.

Result Of Conspirators Actions

“All Conspirators are Engaged in Sedition 18 U.S.C.A. § 2384 and Seditious Conspiracy 18 U.S.C.A. § 2385 against the TRUE United States –

The Constitution

Sgt. Crisp was a military policeman. This is indeed a very inconvenient truth for all Conspirators, but it is true, nevertheless! Sgt. Crisp knows how these laws are required to work because Sgt. Crisp has enforced most of them. His favorite - 42 U.S.C. 1985/86 in case you did not notice! All of these conspirators have provided **against themselves** far more criminal evidence than in any case that Sgt. Crisp has ever been involved with or even knows about.

All Conspirators have Destroyed the Integrity and Credibility of our Justice Systems.

President George Washington - Warned of "internal" enemies directed to act "often covertly and **insidiously**." "It's that we ourselves **will become tyrants** against each other (like turning Military Service into a Crime)."

President Thomas Jefferson – "the greatest **danger** to American freedom is a government (Judges) that ignores the Constitution (Like the Defendants)."

Today all Conspirators and those like them are called

(In fact, in Sgt. Crisp's first action in this matter was to call the Defendants)

THE DEEP STATE

The duty under Canon 2 to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary applies to all the judge's activities, including the discharge of the judge's adjudicative and administrative responsibilities. The duty to be respectful includes the responsibility to **avoid comment** or behavior **that could reasonably be interpreted as harassment, prejudice, or bias.**

49.

All State/County Defendants Have Violated Sec. 54-24. - Ethical Standards For Government Service.

All county commissioners, county officials and county employees should use acting in the best interest of the county as the guiding principle for their decisions and behavior. To that end, they should

(1)

Uphold the Constitution, laws, regulations and ordinances of the United States, the state and the county therein and **never be a party to their evasion.**

(2)

Demonstrate a commitment to integrity, **TRANSPARENCY AND FULL DISCLOSURE** by abiding by State and local laws that govern public meetings and records.

(17)

No county official or employee shall **knowingly or intentionally violate Section 54-42 of this article, the constitution**, laws, regulations, ordinances of the United States, the state and the county, or **be a party to their evasion.**

AND

Georgia Department of Public Safety
Policy Manual

Pledge of Honor

I am a member of the Department of Public Safety dedicated to the promotion of public safety and the preservation of life and property. **I pledge myself to obey the law and enforce it honestly and faithfully** without any consideration of class, creed, or condition. I shall aid those in danger or distress and lay down my life rather than swerve from the path of duty. My conduct shall always uphold the honor of the Department.

3.01.4 Regulation para. A.1. Members will **uphold the Constitutions of the United States and the State of Georgia, obey all federal, state, and local laws** in which jurisdiction the member is present, and comply with court decisions and orders of courts.

4. Members will not obey any order which they know or should know would require them to **commit any illegal act.**

B. Court para. 1. **Members will not make false accusations of a felony,...**

D. Investigations para. 6. Any member who has knowledge of actual or suspected **criminal activities** or is about to conduct a criminal investigation must notify a supervisor orally or in writing and has an obligation to assist in the investigation if requested (– U.S.C. 1985/86).

G. General Duties para. 17. Members will not make any **arrest, search or seizure** that they know or should know **is not in accordance with law** and Department procedures.

H. Evidence para. 3. Members will not convert to their own use, manufacture, conceal, **falsify, destroy, remove, tamper with or withhold any property or evidence** in connection with an investigation or other law enforcement action, except in accordance with established procedures.

And

O.C.G.A. 45-10-1 (2010) CODES OF ETHICS

Any person in government service should: I. Put loyalty to the highest moral principles and to country **above loyalty to persons, party, or government department.** II. **Uphold the Constitution, laws, and legal regulations** of the United States and the State of Georgia and of all governments therein and never be a party to their evasion.

And IX. **Expose corruption wherever discovered.**

And

Georgia Code Title 45. Public Officers and Employees § 45-10-3.

Notwithstanding any provisions of law to the contrary, each member of all boards, commissions, and authorities created by general statute shall:

(1) **Uphold the Constitution**, laws, and regulations of the United States, the State of Georgia, and all governments therein and **never be a party to their evasion.**

(5) **Expose corruption wherever discovered.**

(8) **Never engage in other conduct which is unbecoming** to a member, or which constitutes a **breach of public trust.**

50.

Motions

Motion 1. To protect our Military from Unlawful Combatant Status - Vacate all

orders and judgements of all the Conspirators and especially Tate/Davis (GA State 18-B-01208-10), Ross'(1:18-CV-2619), Totenberg's (1:21- cv-00175-At).

Motion 2. Sgt. Crisp requests this Honorable Court take any other action to restore justice according to law and the rule of Constitutional law specifically.

Motion 3. Sgt. Crisp demands a jury trial... yet again.

Motion 4. Sgt. Crisp demands a hearing on this complaint... yet again.

Motion 5. Order a Judicial Notice on the following: When a former USAF Security Policeman Says He **WAS** a USAF Security Policeman it is not a crime or criminal confession. Overturn Judge Totenberg's Perjury - Judicial Notice!

Motion 6. Order the Jan. 14th, 2019 Star Chamber Trial Transcript be provided to Sgt. Crisp.

Motion 7. Order the "wavier of jury trial rights" document that Sgt. Crisp **SUPPOSEDLY** signed to be provided to Sgt. Crisp.

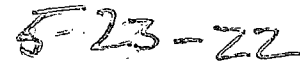
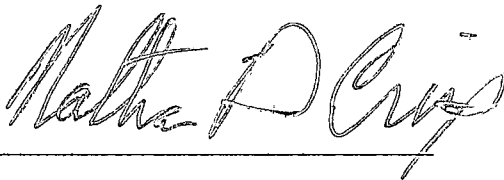
Motion 8 Order the "signed" copy of Sgt. Crisp's **supposedly WRITTEN** criminal confession of being a former USAF Security Policeman to be provided to Sgt. Crisp.

Demand 9. Sgt. Crisp Demands - Order the USAF Flag and Security Police Display taken as criminal evidence be placed in Sgt. Crisp's custody Immediately. (Sgt. Crisp's Patriot

sources within Gwinnet County inform him that the flag and SP display is already destroyed.)

Let's find out shall we!!!

Motion 10. Conduct an investigation of Judges. Sgt. Crisp has informed several G.A. State and U.S. Senators and Representatives to investigate and impeach all Judges involved. These judges have a personal bias or prejudice against our Military and Veterans.



In the Name of the United States Constitution
Sgt. Nathan Crisp
USAF Security Policeman ret.
Disabled Veteran

Date

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SERGEANT NATHAN D. CRISP)
FORMER USAF SECURITY POLICEMAN)
1750 RACQUET CLUB CIRCLE) CIVIL ACTION NUMBER
LAWRENCEVILLE, GA 30043)
<u>nathancrisp@yahoo.com</u>)
404-933-0806) CLASS ACTION
PLAINTIFF -PRO SE)
THE UNITED STATES CONSTITUTION) JURY TRIAL DEMAND
THE CONSTITUTION OF GEORGIA)
Vs.)
THE STATE OF GEORGIA)
STATE EMPLOYEE SCOT W. SCHUNK)
GWINNETT COUNTY POLICE)
STATE EMPLOYEE ADA TOOLE)
GWINNETT COUNTY)
ASSISTANT DISTRICT ATTORNEY)
STATE EMPLOYEE LAURA TATE)
MAGISTRATE COURT JUDGE,)
GWINNETT COUNTY)
STATE EMPLOYEE)
JAMES C. CHAMPLIN IV)
G.A. BAR NO. 853410)
ASST. ATTORNEY GENERAL)
GWINNETT COUNTY, GEORGIA)
MURRAY J. WEED)
SENIOR ASSISTANT GWINNETT COUNTY)
G.A. Bar No. 745450)

PLAINTIFFS AFFIDAVIT

Exhibits

Nathan D. Crisp, who is a resident of Gwinnett County, State of Georgia, personally came and appeared before me, the undersigned Notary Public, and makes this his/her statement, testimony and General Affidavit under oath or affirmation, in good faith, and under penalty of perjury, of sincere belief and personal knowledge that the following matters, facts, and things set forth to the best of his knowledge:

Dated this 22nd day of May 2022

Signature of Affiant

Nathan D. Crisp

State of Georgia

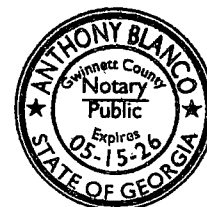
County of Gwinnett

Subscribed and sworn to, or affirmed, before me on this 8th day of April 2022 by Affiant Nathan D. Crisp.

Signature of Notary Public

05-15-2026

My Commission Expires:



0.1

Sergeant Crisp's Affidavit

Exhibit 1.
USAF Security Police Military Records

FORM 909
SEP 19 909

AIRMAN PERFORMANCE REPORT

(Airman Basic thru Senior Airman)

COPY

V. RATER'S COMMENTS FACTS AND SPECIFIC ACHIEVEMENTS: AIC Crisp performed all his duties in an outstanding manner. In his capacity as a CIS, he uses sound judgment in detection, fast reaction to sound the alarm, prompt and effective action to neutralize any threat during an exercise or actual situation. As a Response Force member, he can be counted upon to tactically deploy in an outstanding manner; using the best available cover and individual tactical movement techniques. AIC Crisp has exhibited a high degree of professionalism that exceeds his current rank. His personal appearance, conduct and attitude, have always been above reproach. He achieved an overall rating of 93% on his initial standardization/evaluation test, which clearly demonstrates his abilities and his outstanding job knowledge. Due to his all-around knowledge of his career field, he was chosen to represent his flight for Airman of the Month/Quarter. **STRENGTHS:** AIC Crisp is an enthusiastic individual, with a very strong desire to excel in any task he is assigned. Through his example, others are motivated to exceed their normal output to keep up with him. **EDUCATIONAL AND TRAINING ACCOMPLISHMENTS:** AIC Crisp has maintained an overall average of 98% on the four volumes of his five skill level CDCs. **OTHER COMMENTS:** With his talents, AIC Crisp is deserving of a more demanding/responsible duty position (i.e., entry controller, alarm monitor/annunciator). AIC Crisp is actively involved in the Big Brother's Program, through which he has displayed his dedication and unselfishness in helping others less fortunate. Recommend promotion ahead of his peers.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION
MICHAEL J. BURNS, SSgt, USAF
44th Security Police Squadron (SAC)
Ellsworth AFB, SD

DUTY TITLE

Fire Team Leader

DATE

13 Jun 83

SEAN

-8591

SIGNATURE

*Michael J. Burns***VI. 1ST INDORSEER'S COMMENTS:**

☒ CONCUR ☐ NONCONCUR
AIC Crisp is a conscientious, hard working airman, who takes a great deal of pride in performing all tasks in an outstanding manner. He willingly accepts added responsibilities. His personal conduct is of the highest order and is an example for others to follow. For his overall knowledge of his career field and undying devotion to duty, AIC Crisp was recently selected for the 1983 SAC Combat Weapons Loading Competition Team to represent Security. Recommend promotion to SrA below the zone immediately!

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION
THOMAS E. MORTON SR., 1Lt, USAF
44th Security Police Squadron (SAC)
Ellsworth AFB, SD

DUTY TITLE

Shift Commander

DATE

13 Jun 83

SEAN

-8656FV

SIGNATURE

*Thomas E. Morton Sr.***VII. 2D INDORSEER'S COMMENTS:**

☒ CONCUR ☐ NONCONCUR
I have observed AIC Crisp in the performance of his duties and can attest to his exemplary characteristics both on/off-duty. He has undoubtedly given of himself for the betterment of others, by his involvement with the Big Brother's Program. He sets the envious example for his fellow airmen to follow. Promote!

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION
JOHN J. SULLIVAN, Lt Colonel, USAF
44th Security Police Squadron (SAC)
Ellsworth AFB, SD

DUTY TITLE

Commander

DATE

13 Jun 83

SEAN

-9013FR

SIGNATURE

*John J. Sullivan***VIII. 3D INDORSEER'S COMMENTS:**

☒ CONCUR ☐ NONCONCUR
IC Crisp exudes the essence of professionalism. This is apparent through the excellence he has displayed in his job performance, thereby being selected for the 1983 SAC Combat Weapons Loading Competition Team. AIC Crisp would make any commander proud to have him in the organization. Promote this outstanding individual.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION
DAVID H. BASSETT, Colonel, USAF
44th Security Police Group (SAC)
Ellsworth AFB, SD

DUTY TITLE

Commander, 44 SFG

DATE

13 Jun 83

SEAN

-1373FR

SIGNATURE

David H. Bassett

254

COPY

V. RATER'S COMMENTS FACTS AND SPECIFIC ACHIEVEMENTS: A1C Crisp has carried out all Security Police duties in a truly outstanding manner. Performing as Security Response Team leader, Airman Crisp responds to all situations in a positive and aggressive manner employing all team resources to maximum advantage. He insures all assigned equipment is in a high state of readiness and his members are knowledgeable of all task requirements. As Missile Command Post Entry Controller during the command inspections recently completed, he impressed inspector personnel with his bearing, duty performance and overall dedication. His outstanding performance directly contributed to the attainment of the "excellent" rating achieved by the Security Squadron. A1C Crisp has operated all assigned security vehicles without accident or incident. **STRENGTHS:** A1C Crisp is a very highly motivated, knowledgeable and ambitious Security Policeman. He grasps all instructions quickly, implements procedures correctly, and performs all assignments brilliantly. His bearing, dress, and conduct are of the highest order and serve as an excellent model for peers. **EDUCATIONAL AND TRAINING ACCOMPLISHMENTS:** A1C Crisp is enrolled with the Community College of the Air Force and has completed a total of twenty credit hours. He is voluntarily enrolled in the 7 level Security Police CDC. **OTHER COMMENTS:** Retain in the Security Police career field and service. Recommend promotion ahead of contemporaries through the below the zone promotion competition program.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION	DUTY TITLE	DATE
SCOTT A. RUECKER, Sgt, USAF 501st Missile Security Sq (USAF) RAF Greenham Common, England	Security Specialist	26 Aug 84
	SSAN [REDACTED]-5895	SIGNATURE [REDACTED]

VI. 1ST INDORSE'S COMMENTS☒ CONCUR☐ NONCONCUR

A1C Crisp's performance has been truly outstanding. He volunteered for and participated in the June 6th, "D" Day Memorial Parade in Portsmouth, England. His performance on this occasion presented the United States Air Force in a very favorable light, with many glowing comments being received by the installation commander. Recommend promotion ahead of his contemporaries.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION	DUTY TITLE	DATE
CLIFFORD J. RICHMOND, TSgt, USAF 501st Missile Security Sq (USAF) RAF Greenham Common, England	Security Supervisor	26 Aug 84
	SSAN [REDACTED]-2157	SIGNATURE [REDACTED]

VII. 2D INDORSE'S COMMENTS☒ CONCUR☐ NONCONCUR

A1C Crisp is a very mature young airman. His calm and rational thinking enabled him to control any situation that arose. He has excellent potential for advancement and should be placed in positions with increased responsibility. Recommend promotion ahead of contemporaries.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION	DUTY TITLE	DATE
JAMES E. TEBERG, Capt, USAF 501st Missile Security Sq (USAF) RAF Greenham Common, England	Defense Force Commander	26 Aug 84
	SSAN [REDACTED]-3925FV	SIGNATURE [REDACTED]

VIII. 3D INDORSE'S COMMENTS☐ CONCUR☐ NONCONCUR

THIS SECTION NOT USED

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION	DUTY TITLE	DATE
	SSAN	SIGNATURE

COPY

I. RATEE IDENTIFICATION DATA (Read AFR 39-62, Vol I, carefully before completing any item.)		
1. NAME (Last, First, Middle Initial)	2. SSAN	3. GRADE
CRISP, NATHAN D.	FR251-31-9984	SrA
4. ORGANIZATION, COMMAND, LOCATION AND PAB CODE	5. PERIOD OF REPORT AND SUPERVISION	6. REASON FOR REPORT
501 MISSILE SECURITY SQUADRON (USAFS) RAF GREENHAM COMMON, ENGLAND GOODF5QY	FROM 7 Aug 84 THROUGH 2 Apr 85 7. PAFSG 8. DAFSG 81130	NO. OF DAYS 217 9. DAFSG DIRECTED BY
II. JOB DESCRIPTION: Security Specialist. Responds to areas of alarm activations, exercises correct tactical deployment, and conducts searches for suspicious activities and objects. Reports all activities to Central Security Control. Takes action to contain or neutralize security situations.		
III. EVALUATION OF PERFORMANCE		
1. PERFORMANCE OF DUTY: Consider the quantity, quality, and timeliness of duties performed as described in Section II.	RATER	0 1 2 3 4 5 6 7 8 9
	1ST INDORSER	0 1 2 3 4 5 6 7 8 9
2. HUMAN RELATIONS: Consider how well ratee supports and promotes equal opportunity, shows concern and is sensitive to needs of others.	RATER	0 1 2 3 4 5 6 7 8 9
	1ST INDORSER	0 1 2 3 4 5 6 7 8 9
3. LEARNING ABILITY: Consider how well ratee grasps instructions, communicates (oral and written), and understands principles and concepts related to the job.	RATER	0 1 2 3 4 5 6 7 8 9
	1ST INDORSER	0 1 2 3 4 5 6 7 8 9
4. SELF-IMPROVEMENT EFFORTS: Consider how well ratee progresses in on-the-job training and in other efforts to improve technical knowledge and educational level.	RATER	0 1 2 3 4 5 6 7 8 9
	1ST INDORSER	0 1 2 3 4 5 6 7 8 9
5. ADAPTABILITY TO MILITARY LIFE: Consider how well ratee adapts and conforms to the requirements of military duties not directly related to the job.	RATER	0 1 2 3 4 5 6 7 8 9
	1ST INDORSER	0 1 2 3 4 5 6 7 8 9
6. BEARING AND BEHAVIOR: Consider the degree to which ratee's bearing and behavior on and off duty improve the image of Air Force Airmen.	RATER	0 1 2 3 4 5 6 7 8 9
	1ST INDORSER	0 1 2 3 4 5 6 7 8 9
V. OVERALL EVALUATION	How does the ratee compare with others of the same grade and Air Force specialty? Potential for promotion and increased responsibility are essential considerations in this rating.	
	RATER	0 1 2 3 4 5 6 7 8 9
	1ST INDORSER	0 1 2 3 4 5 6 7 8 9
	2D INDORSER	0 1 2 3 4 5 6 7 8 9
	3D INDORSER	0 1 2 3 4 5 6 7 8 9

COPY

V. RATER'S COMMENTS FACTS AND SPECIFIC ACHIEVEMENTS: Sra Crisp has performed all Security Police duties in a most professional and outstanding manner. Performing as Response Force leader, Sra Crisp reacts aggressively, rapidly, and positively to all security situations utilizing weapon, terrain, concealment and vehicle resources to optimum effectiveness. The standardization of deployment tactics coupled with extensive training allowed Sra Crisp to develop team members into a dynamic and cohesive team. All team personnel are well briefed, completely equipped, and can be relied upon to respond effectively to any threat and neutralize it with enthusiasm. Sra Crisp's performance in the field dispersal role of the Ground Launched Cruise Missile (GLCM) Program conducted at RAF Longmoore by instructor personnel from the Royal Air Force regiment was commented upon as being outstanding in the areas of concealment, equipment and position camouflage, and aggressiveness. Sra Crisp was promoted to his present grade through the Below the Zone Promotion Program. **STRENGTHS:** Intelligent, well motivated, capable, and ambitious. Grooming and conduct of the highest order. **EDUCATIONAL AND TRAINING ACCOMPLISHMENTS:** Qualified as Response Force leader, with the M-60 machinegun, and all assigned response force vehicles. Completed the NCO Preparatory school during this period. **OTHER COMMENTS:** Ready for NCO status.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION MARK S. PERRY, SSgt, USAF 501st Missile Security Sq (USAFE) RAF Greenham Common, England	DUTY TITLE Security Supervisor	DATE 18 Apr 85
SSAN [REDACTED]-7166	SIGNATURE <i>Mark S. Perry</i>	

VI. 1ST INDORSEER'S COMMENTS☒ CONCUR☐ NONCONCUR

Sra Crisp's performance on every occasion has enabled the Missile Security Squadron to successfully meet all mission objectives. His cheerfulness under trying and stressful conditions promote a harmonious atmosphere among his response force team personnel. Obvious potential for outstanding career. Promote ahead of contemporaries.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION CLIFFORD J. RICHMOND, TSgt, USAF 501st Missile Security Sq (USAFE) RAF Greenham Common, England	DUTY TITLE Security Supervisor	DATE 18 Apr 85
SSAN [REDACTED]-2157	SIGNATURE <i>Clifford J. Richmond</i>	

VII. 2D INDORSEER'S COMMENTS☒ CONCUR☐ NONCONCUR

Sra Crisp is a truly outstanding security policeman. His demonstrated excellence in both the garrison and field dispersal role of the Ground Launched Cruise Missile program have made him a most definite asset to this security police unit. His selection for armor duties is indicative of his versatility.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION THOMAS L. HOLZ, Capt, USAF 501st Missile Security Sq (USAFE) RAF Greenham Common, England	DUTY TITLE Assistant Operations Officer	DATE 18 Apr 85
SSAN [REDACTED]-5036FV	SIGNATURE <i>Thomas L. Holz</i>	

VIII. 3D INDORSEER'S COMMENTS☐ CONCUR☐ NONCONCUR

THIS SECTION NOT USED.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION	DUTY TITLE	DATE
SSAN	SIGNATURE	

COPY

I. RATEE IDENTIFICATION DATA (Read AFR 39-62 carefully before completing any item)			
1. NAME (Last, First, Middle Initial) CRISP, NATHAN D.	2. SSAN FR251-31-9984	3. GRADE SrA	4. DAFCG 81150
5. ORGANIZATION, COMMAND, AND LOCATION 501st Security Police Gp (USAFE), RAF Greenham Common, England			6. PAC CODE GCO0F40J
7. PERIOD OF REPORT FROM: 3 April 1985 THRU: 3 September 1985		8. NO. OF DAYS OF SUPERVISION 154	9. REASON FOR REPORT CRO
II. JOB DESCRIPTION 1. DUTY TITLE: Arms Room Attendant. 2. KEY DUTIES, TASKS, AND RESPONSIBILITIES: Responsible for the issue, control, and accountability of weapons, munitions and communication equipment assigned to the security police armory. responsible for ensuring that weapons issued are clean and operational. Responsible for identifying and tagging inoperative or unsafe weapons and monitoring the weapons. Monitors denial list to ensure that only authorized personnel are issued weapons.			
III. EVALUATION OF PERFORMANCE			
1. PERFORMANCE OF DUTY: Consider the quantity, quality, and timeliness of duties performed as described in Section II.	RATER	<input type="checkbox"/>	<input type="checkbox"/>
	1ST INDORSER	<input type="checkbox"/>	<input type="checkbox"/>
2. HUMAN RELATIONS: Consider how well ratee supports and promotes equal opportunity, shows concern and is sensitive to needs of others.	RATER	<input type="checkbox"/>	<input type="checkbox"/>
	1ST INDORSER	<input type="checkbox"/>	<input type="checkbox"/>
3. LEARNING ABILITY: Consider how well ratee grasps instructions, communicates (oral and written), and understands principles and concepts related to the job.	RATER	<input type="checkbox"/>	<input type="checkbox"/>
	1ST INDORSER	<input type="checkbox"/>	<input type="checkbox"/>
4. SELF-IMPROVEMENT EFFORTS: Consider how well ratee progresses in on-the-job training and in other efforts to improve technical knowledge and educational level.	RATER	<input type="checkbox"/>	<input type="checkbox"/>
	1ST INDORSER	<input type="checkbox"/>	<input type="checkbox"/>
5. ADAPTABILITY TO MILITARY LIFE: Consider how well ratee adapts and conforms to the requirements of military duties not directly related to the job.	RATER	<input type="checkbox"/>	<input type="checkbox"/>
	1ST INDORSER	<input type="checkbox"/>	<input type="checkbox"/>
6. BEARING AND BEHAVIOR: Consider the degree to which ratee's bearing and behavior on and off duty improve the image of Air Force armory.	RATER	<input type="checkbox"/>	<input type="checkbox"/>
	1ST INDORSER	<input type="checkbox"/>	<input type="checkbox"/>
IV. OVERALL EVALUATION			
How does the ratee compare with others of the same grade and Air Force specialty? Potential for promotion and increased responsibility are essential considerations in this rating.	RATER	<input type="checkbox"/>	<input type="checkbox"/>
	1ST INDORSER	<input type="checkbox"/>	<input type="checkbox"/>
UNIT COMMANDER REVIEW (Initials)	2D INDORSER	<input type="checkbox"/>	<input type="checkbox"/>
	3D INDORSER	<input type="checkbox"/>	<input type="checkbox"/>

COPY

V. RATER'S COMMENTS FACTS AND SPECIFIC ACHIEVEMENTS: Sra Crisp has performed his assigned duties in an excellent manner. He has demonstrated a high degree of knowledge, dedication to duty, and desire to accept more responsibility. Sra Crisp spent many additional hours helping to prepare the armory for the "Outstanding Security Police Group of the Year" visit from HQ Air Force Office of Security Police. He maintains his duty section in a high state of military appearance at all times. Sra Crisp is always striving to improve his working conditions and boost morale among his peers. His positive attitude and willingness to ensure mission accomplishment aided immeasurably in the recent NATO Tactical Evaluation. Sra Crisp is responsible for maintaining accountability for approximately 800 weapons and 200,000 rounds of munitions while performing duties within the armory. He has proven himself an excellent armorer by accomplishing issues to Ground Launched Cruise Missile defense forces in a timely manner. **STRENGTHS:** Sra Crisp is a very personable, knowledgeable, and highly motivated young man. **RECOMMENDED IMPROVEMENT AREAS:** On occasions, Sra Crisp has not shown good judgment in the performance of his armory duties. He has been counseled and has shown considerable improvement, if improvement continues, he has the potential to become an outstanding NCO. **OTHER COMMENTS:** Sra Crisp is recommended for promotion and retention in his career field and service.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION

GARRY D. GRAHAM, TSgt, USAF
501st Security Police Gp (USAF)
RAF Greenham Common, England

DUTY TITLE

NCOIC Arms and Equipment

DATE

3 Sep 85

SSAN

-1313

SIGNATURE

Harry P. Graham

VI. 1ST INDORSEMENT'S COMMENTS

☐ CONCUR☒ NONCONCUR

Sra Crisp is a highly motivated security policeman. He is very knowledgeable of his assigned duties and maintains a high military appearance during the performance of his duties. Sra Crisp has the potential to become an outstanding NCO. Recommend promotion.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION

STEPHEN B. FOSTER, MSgt, USAF
501st Security Police Gp (USAF)
RAF Greenham Common, England

DUTY TITLE

Resource Manager

DATE

3 Sep 85

SSAN

-8791

SIGNATURE

[Signature]

VII. 2D INDORSEMENT'S COMMENTS

☒ CONCUR☒ NONCONCUR

Sra Crisp is a most definite asset to the security police speciality and United States Air Force. With continued improvements and more experience within his career field, he has the potential to become an effective NCO. Promote along with his contemporaries.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION

RICHARD B. AVENS, Sqn Ldr, RAF
501st Security Police Gp (USAF)
RAF Greenham Common, England

DUTY TITLE

Group Operations Officer

DATE

3 Sep 85

SSAN

8677L

SIGNATURE

[Signature]

VIII. 3D INDORSEMENT'S COMMENTS

☐ CONCUR☐ NONCONCUR

THIS SECTION NOT USED.

NAME, GRADE, BRANCH OF SERVICE, ORGANIZATION, COMMAND AND LOCATION

DUTY TITLE

DATE

SSAN

SIGNATURE

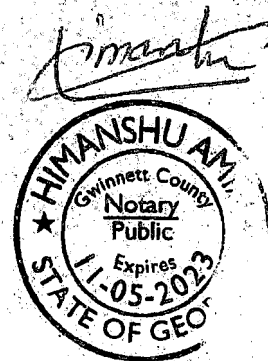
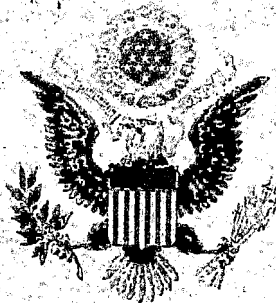
[Signature]

Exhibit 2

Military Records

I certify this to be a true copy
of the original document.

Certified this 2nd day of
January, 2021.



CERTIFICATE OF APPOINTMENT

*Having demonstrated
patriotism, valor, fidelity and ability*

NATHAN D. CRISP FR  -9984

is hereby appointed a

NONCOMMISSIONED OFFICER

in the grade of

SERGEANT

in the

UNITED STATES AIR FORCE

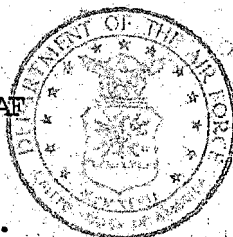
THIS 1st DAY OF September

ONE THOUSAND NINE HUNDRED AND Eighty - Five

Your appointment carries with it the obligation that you exercise additional authority and willingly accept greater responsibility. Your every action must be governed by a strong sense of personal moral responsibility, leadership by example, excellence, and commitment to Air Force standards. You will observe and follow such orders as may be given by superiors acting according to the provisions of the United States Air Force Regulations, General Orders, Uniform Code of Military Justice, and supporting orders and directives.

*Given under my hand at RAF Greenham Common, Newbury, Berkshire, England this
Thirtieth day of September in the year nineteen
hundred and Eighty - Five*

DOUGLAS D. BULLOCK, Captain, USAF
Commander



CHIEF OF STAFF

I certify this to be a true copy
of the original document.
Certified this 2nd day of
January, 2020.

Honorable Discharge



from the Armed Forces of the United States of America

This is to certify that

NATHAN DEE CRISP, [REDACTED]-9984, Staff Sergeant, Regular Air Force

was Honorably Discharged from the

United States Air Force

on the 8TH *day of* November 1992 *This certificate is awarded*
as a testimonial of Honest and Faithful Service

Kenneth S. Klein

KENNETH S. KLEIN, Captain, USAF
Ramstein Air Base, Germany



DD FORM 256 AF
NOV 51

THIS IS AN IMPORTANT RECORD - SAFEGUARD IT!

Exhibit 3
Schunck Statement

GWINNETT COUNTY POLICE DEPARTMENT

Narrative Continuation

REPORT DATE:

05-18-2017

CASE NUMBER:

170045167

Report Type:

SUPPLEMENT

Club Circle. Sgt. Schunk approached the front door in order to try to speak with female resident. As he walked toward the door, the male shut the door and told the female to lock the door behind him. Sgt. Schunk attempted to speak with the male about the investigation, but he walked away. Sgt. Schunk followed behind him and asked him if he'd previously stated he was a cop. The male refused to answer initially, but later stated he said that he was a retired military police officer and not that he was an "active duty" cop. Sgt. Schunk spoke with him about what branch he was in. The male stated he was in the Air Force. Sgt. Schunk asked to see the male's credentials. The male stated they were at his house. Sgt. Schunk told the male to go and get them to show that he was an officer like he previously stated. The male stated he didn't say he was active, but he was a retired military officer. The male then went into his residence, shut the door, and locked it. I told Sgt. Schunk that the male wasn't going to come back out so we should leave.

As we started to walk back down the driveway, I heard the front door of the residence open and then shut. I also heard a clanking noise. I informed Sgt. Schunk that it sounded like the male put something outside. We walked back toward the front door and saw a flannel Air Force blanket laid out in front of the door. I saw the male looking through the front door glass. Sgt. Schunk looked at the blanket and noticed that the patches were uneven and there was a small metal badge in the corner. He spoke with the male through the door. The male stated that was all he had, but he'd been honorably discharged. Sgt. Schunk stated that the blanket was not proof that the male was an officer. Sgt. Schunk asked if I had a camera to photograph the blanket. I informed him that my camera's internal memory was full and the memory card wasn't working correctly so I couldn't take any photos. I informed him that since the male stated the blanket was evidence that he was an officer, it should be collected and placed into evidence if there was going to be an investigation into whether the male was actually an officer. Sgt. Schunk agreed and collected the blanket. The male then opened the door and asked if the blanket was going to be collected as evidence. Sgt. Schunk informed him that it was. The male stated he understood. I informed the male that the blanket didn't contain his name and asked him for it. He stated his name was Nathan D. Crisp and that his date of birth was 08/29/1962. Mr. Crisp then followed behind Sgt. Schunk and me as we walked down his driveway. Mr. Crisp stated he had cameras up and that he was going to show the recordings of us "harassing" him.

On May 18th, 2017, at approximately 1845 hrs, Sgt. Schunk stated he'd spoke with some military officers and attempted to verify Mr. Crisp's statements about being law enforcement. He stated from his investigation there was nothing that showed Mr. Crisp had any ties to the United States Air Force. Sgt. Schunk stated he'd spoken to the on duty Magistrate Judge and obtained a warrant for impersonating a law enforcement officer. I went to Mr. Crisp's residence with him and other officers to serve the arrest warrant. The arrest warrant was served without incident. At this time, there is no further information.

CASE STATUS:

AA CLEARED ARREST - ADULT

DATE CLEARED:

05-18-2017

BARBER #:

B1103

OFFICER:

BING, J.

Author: VHL
GSC

Exhibit 4
Bings Statement

COPY
 REPORT DATE: 05-18-2017
 REPORT TIME: 2300
GWINNETT COUNTY POLICE DEPARTMENT
 JUVENILE INVOLVED?
☐ Yes ☒ No

 CASE NUMBER:
 170045147

 INVI: NAME (FULL):
 ARR CRISP NATHAN D

 NATURE OF CALL:
 4100

 Report Type:
 INCIDENT/ARREST
NARRATIVE:

1 I RESPONDED TO 1735 RACQUET CLUB CIRCLE IN LAWRENCEVILLE, IN REFERENCE TO A SUBJECT IDENTIFYING HIMSELF AS A POLICE OFFICER. UPON
 2 MY ARRIVAL I MET WITH CORPORAL BING AND HE POINTED OUT THE SUBJECT THAT IDENTIFIED HIMSELF AS A "COP" TO HIM AND DEFACS WORKER
 3 EYOB. I APPROACHED CRISP AND ASKED HIM ABOUT THE STATEMENTS HE MADE. CRISP WALKED BETWEEN THE CAR AND THE GARAGE DOOR AS IF HE
 4 WAS TRYING TO AVOID ME. I WALKED IN FRONT OF CRISP AND ADVISED HIM TO STOP. CRISP TRIED TO WALK AROUND ME AND I GRABBED HIM BY THE
 5 ARM AND ADVISED HIM HE MADE NUMEROUS CLAIMS TO BEING A "COP". CRISP ADVISED ME I HAD NO RIGHT TO GRAB HIS ARM. I THEN RESPONDED
 6 THAT I NEEDED TO SEE HIS CREDENTIALS SHOWING THAT HE WAS AN OFFICER. CRISP STATED HIS CREDENTIALS WERE IN HIS RESIDENCE. I ADVISED
 7 CRISP TO RETRIEVE THEM. CRISP WENT INSIDE HIS HOUSE AND SHUT THE DOOR AND I COULD HEAR THE NOISE OF A DEAD-BOLT ALSO BEING
 8 THROWN. AFTER SEVERAL MINUTES CRISP EXITED HIS HOUSE WITH A BLANKET AND LAYED IT OUT ON HIS FRONT WALK AND RETREATED BACK TO HIS
 9 RESIDENCE AND LOCKED THE DOOR. I APPROACHED AND OBSERVED THE BLANKET HAD A BADGE PINNED TO IT. I ADVISED CRISP I NEEDED MORE
 10 THAN JUST A BADGE TO WHICH CRISP REPLIED THAT IS ALL I HAVE. I ADVISED CRISP I WAS GOING TO TAKE THE BLANKET AS EVIDENCE AND CRISP
 11 REPLIED "GOOD TAKE IT". THE BADGE ON THE BLANKET HAD A NUMBER AT THE BOTTOM WHICH WAS N0704.

12

13 THE NEXT DAY I CONTACTED NUMEROUS PEOPLE AND WAS TRANSFERRED FROM PERSON TO PERSON TRYING TO GAIN INFORMATION IF CRISP WAS
 14 AN OFFICER WITH THE AIR FORCE. THE LAST PERSON I SPOKE WITH FROM PUBLIC AFFAIRS ADVISED ME HE HAD NO RECORD OF NATHAN DEE CRISP. I
 15 WAS ALSO ADVISED THAT THE BADGE NUMBER ON THE BADGE COULD NOT BELONG TO CRISP SINCE THE LETTER WOULD OF BEEN THE FIRST LETTER
 16 OF HIS LAST NAME FOLLOWED BY THE LAST FOUR OF HIS SOCIAL SECURITY NUMBER.

17

18 I APPLIED FOR A WARRANT AND MADE CONTACT WITH A MAGISTRATE JUDGE AND OBTAINED A WARRANT FOR IMPERSONATING A POLICE OFFICER.
 19 AFTER OBTAINING THE WARRANT I WENT TO THE RESIDENCE OF NATHAN CRISP AND UPON OUR ARRIVAL CRISP WAS EXITING THE RESIDENCE. I
 20 ADVISED CRISP I HAD A PAPER I WANTED HIM TO READ. I THEN HANDED CRISP THE ARREST WARRANT AT WHICH TIME I PLACED HIM UNDER ARREST.
 21 CRISP WAS PLACED IN MY PATROL CAR AT WHICH POINT I READ HIM HIS MIRANDA WARNINGS. I THEN ASKED CRISP ABOUT HIS BADGE THAT I TOOK
 22 AND ASKED WHERE HE RECEIVED IT. HE STATED HE RECEIVED IT WHEN HE WAS DISCHARGED. I THEN ADVISED HIM THE NUMBER AT THE BOTTOM
 23 DOES NOT CORRESPOND WITH HIS INFORMATION AND I EXPLAINED HOW THE LETTER AND NUMBERS WORKED. I THEN ASKED HIM WHOSE BADGE HE
 24 HAD AT WHICH POINT HE STATED "I WILL NOT ANSWER THAT QUESTION". CRISP WAS TAKEN TO THE JAIL WHERE HE WAS RELEASED TO THE DEPUTIES
 25 ON DUTY WITHOUT INCIDENT.

26

27 THE BLANKET AND BADGE WERE PLACED INTO EVIDENCE.

 CASE STATUS: AA
 CLEARED ARREST - ADULT
 DATE CLEARED: 05-18-2017

 BADGE #: B487
 OFFICER: SCHUNKS

 Assignment/Shift:
 CSC

Exhibit 5
Bill of Indictment

BILL OF INDICTMENT

18B 01208-10

STATE OF GEORGIA, COUNTY OF GWINNETT
IN THE SUPERIOR COURT OF SAID COUNTY

The GRAND JURORS selected, chosen and sworn for the County of Gwinnett to wit:

- | | |
|-----------------------------------|--|
| 1. Sondra Boone, Foreperson | 14. Justin Kurtz |
| 2. Tory Kleeb, Vice-Foreperson | 15. Kerri Lawton |
| 3. Kelly Jowers, Clerk | 16. Geraldine McFadden |
| 4. April Bevilacqua, Deputy Clerk | 17. Lawrence J. Moore |
| 5. Vishrut Arya | 18. Nicole Pennisi |
| 6. Albert Burt, III | 19. Shelly Plourde |
| 7. Ryan Callender | 20. La Ronda Razor |
| 8. Emily Draper | 21. Karen A. Turner |
| 9. Kenny Efford | 22. Elizabeth Whitworth |
| 10. Mikera Gordon | 23. Octave Williams |
| 11. Britanni Hawk | 24. Erika M. Harding, Alternate |
| 12. Robert Kilby | 25. Alphonso Scott, Alternate |
| 3. David Kozlowski | 26. Hector Oswaldo Hernandez, Alternate |

COUNT 1

THE GRAND JURORS AFORESAID, IN THE NAME AND BEHALF OF THE CITIZENS OF GEORGIA, charge and accuse NATHAN DEE CRISP with the offense of IMPERSONATING AN OFFICER (O.C.G.A. 5-10-23), for that the said accused, in the County and State aforesaid, on the 17th day of May, 2017, did falsely hold himself out as a public officer, to wit: a United States Air Force officer, by stating that he was an officer with the United States Air Force and presenting a badge that falsely identified him as a United States Air Force officer, with intent to mislead Officer S. Schunck with the Gwinnett County Police Department into believing that he was actually a United States Air Force officer, contrary to the laws of said State, the peace, good order and dignity thereof, contrary to the laws of said State, the good order, peace and dignity thereof.

Daniel J. Porter, District Attorney

rafted: RoW proofed: ChH)

Exhibit 6
Transcript of "NOT" Guilty Plea

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

CERTIFIED

STATE OF GEORGIA,)

v.)

NATHAN DEE CRISP,)

Defendant.)

CASE NO.: 18-B-01208-10

GUILTY PLEA HEARING

Transcript of the proceedings had in the above-styled case
before THE HONORABLE LAURA M. TATE, Magistrate Court Judge,

sitting by designation for

THE HONORABLE WARREN DAVIS, Superior Court Judge,

at the Gwinnett County Courthouse,

75 Langley Drive, Lawrenceville, Georgia 30046

commencing on January 15, 2019.

ANGELA HUGHES, CCR, CVR-CM
North Georgia Court Reporting
6074 Green Tree Lane
Gainesville, Georgia 30506
(770) 983-3039
ngacourtreporting@gmail.com

Georgia, Gwinnett County
This is to certify that the foregoing is a true and correct copy
of the transcript of the proceedings had in the above-styled case
in Gwinnett County Superior Court.

Given under my official seal and signature of the
Court Clerk, this 15th day of January, 2021.

[Signature]
Deputy Clerk Superior Court, Gwinnett County, Georgia

EXHIBIT "4"

A P P E A R A N C E S

FOR THE STATE:

RAMONA TOOLE,
Assistant District Attorney
Office of the District Attorney
Gwinnett Judicial Circuit
75 Langley Drive
Lawrenceville, Georgia 30046
(770) 822-8400
ramona.toole@gwinnettcountry.com

FOR THE DEFENDANT:

NATHAN DEE CRISP, *Pro se*
1250 Racquet Club Circle
Lawrenceville, Georgia 30043

I N D E X

DURING THIS GUILTY PLEA HEARING, THERE WERE NO
WITNESSES, AND NO EXHIBITS WERE MARKED OR TENDERED.

PROCEEDINGS

THE COURT: Okay. And we are on the record, and I will have just the State set up the record for me, please.

MS. TOOLE: Your Honor, this is the State of Georgia versus Nathan Dee Crisp in Indictment No. 18-B-01208-10. Mr. Crisp is here in the courtroom. He is *pro se*. We did have a Faretta hearing back in May where Judge Davis did do an order granting him permission to represent himself. I'm representing the State and, Your Honor, this case is being called in for trial. The charge in the indictment is one count of impersonating an officer.

THE COURT: Thank you. And yesterday when we were all together, Mr. Crisp, you did sign your waiver of the jury trial and to proceed as a bench trial; is that correct?

THE DEFENDANT: Yes, ma'am.

THE COURT: And that is still your wish?

THE DEFENDANT: Yes, ma'am.

THE COURT: Okay. And if the State will set up for the Court what the last plea offer was and whether or not it's still outstanding.

MS. TOOLE: Yes, Your Honor. This case was indicted on March 29, 2018. Mr. Crisp was present at the arraignment date before Judge Warren Davis on May 18, 2018. At that time he received the copy of the list of

1 on probation, we're asking him to pay the monthly
2 probation --

3 THE COURT: I believe it was three years.

4 MS. TOOLE: I'm sorry. I'm sorry. I apologize.
5 Three years to serve on probation -- while on probation to
6 pay the monthly probation supervision fee.

7 As I get ready to question Mr. Crisp, I will
8 determine whether or not he is eligible for First
9 Offender. The State has no objection if he is eligible
10 for First Offender for the Court sentencing him as such.
11 And since it is a three-year sentence, the three years to
12 the date is kind of void because if he completes the
13 sentence, his sentence will end in three years as opposed
14 to longer than three years.

15 Mr. Crisp, please raise your right hand. You don't
16 have to stand.

17 THE DEFENDANT: (Complies.)

18 Whereupon,

19 NATHAN DEE CRISP

20 after having been duly sworn, testifies under oath as
21 follows:

22 CROSS-EXAMINATION

23 BY MS. TOOLE:

24 Q You can lower your hand. Please state your full and
25 correct legal name for the record.

1 of Georgia, you agree to waive extradition from wherever you
2 are found and not contest any efforts by that state to return
3 you to Georgia; to support your legal dependents to the best of
4 your ability; and to submit to the evaluation and testing
5 related to rehabilitation; and participate in and successfully
6 complete a rehabilitative program as directed by probation or
7 parole.

8 Now, you're asking to take this plea pursuant to the First
9 Offender Act. Have you ever pled guilty to any felony in
10 Gwinnett County, state of Georgia, or any of the 50 states?

11 A No.

12 Q Have you ever pled guilty to any offense where you've
13 utilized the First Offender Act?

14 A No.

15 Q The good thing about First Offender is that if you
16 successfully complete the term of probation, you don't get
17 re-arrested, don't violate the terms of probation, at the
18 conclusion of the three-year period, you can tell future
19 employers or anybody that you weren't convicted of this crime.
20 That's the positive side.

21 If you get re-arrested, violate the terms of probation,
22 then the bad side is that you could come before the Court, the
23 Court could take away your First Offender status and sentence
24 you up to five years, not up to three years. The judge would
25 have up to five years to sentence you, minus any time you've

1 already served. So if you've served two years and 350 days and
2 you got violated on your First Offender, she could take away
3 that two years and 350 days and then subtract it from the five
4 years, and you would be subject to that. Do you understand
5 that?

6 A Yes, ma'am.

7 Q With an understanding of the positives and negatives,
8 do you wish to be sentenced under the First Offender Act?

9 A Yes, please.

10 Q One of the other things that I forgot to mention
11 that's positive about the First Offender is that if the Court
12 sentenced you pursuant to the First Offender Act, when you walk
13 out that door today, you will not be a convicted felon. And
14 that's another positive side. With that understanding, do you
15 still want to go forward with that?

16 A Yes, ma'am.

17 Q Now, are you entering a plea of guilty with the
18 understanding of these conditions that I just explained to you?

19 A Yes, yes, ma'am.

20 Q Do you need any -- do you need any additional time,
21 or do you need to ask any questions before we go forward with
22 this plea?

23 A No, ma'am.

24 Q Have you understood all the questions you've answered
25 so far?

1 Okay. That is the sentence recommendation you were
2 expecting to hear; is that correct?

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: Anything you want to say on your own
5 behalf before the Court decides whether or not to accept
6 this plea?

7 THE DEFENDANT: No, ma'am. I don't have anything to
8 say.

9 THE COURT: And, Mr. Crisp, I am going to -- because
10 I know this may have been the first time you've actually
11 even heard "First Offender." I don't know whether it is
12 or not. And you're sitting in the courtroom, so I want to
13 make sure. I know the State thoroughly went through it,
14 but I want to go through it with you even once again so
15 you thoroughly understand.

16 When you enter a plea under the First Offender, there
17 are both advantages and disadvantages. That includes --
18 and I will state, the primary benefit is that the Court
19 will not adjudicate you guilty but will withhold this
20 determination until you've had the opportunity to complete
21 the sentence and all the terms and conditions of that
22 sentence. Once you successfully complete it, then this
23 case will be discharged and you can honestly say you have
24 not been convicted of a felony. Do you understand that?

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: Okay. Now, the downside or the negative
2 or disadvantage is that if you fail to abide by the terms
3 and conditions of this sentence or fail to abide by the
4 rules and regulations of the probation, the Court can
5 revoke your First Offender status. You'd be brought back
6 before the Court, could be adjudicated guilty and
7 resentenced up to the maximum of the sentence range that
8 was previously stated. I believe that was up to five
9 years and a \$1,000 fine. Okay. Do you understand the
10 negatives?

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: Okay. Understanding both the advantages
13 and disadvantages, do you wish to be treated as a First
14 Offender in this sentence?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: Okay. Mr. Crisp, the Court is going to
17 find that your plea is freely and voluntarily entered.
18 There is a factual basis for the plea. The Court will
19 accept the plea as negotiated. The negotiated sentence,
20 the sentence of the Court -- the only change the Court is
21 going to make to that is I am going to have only the first
22 12 months be reporting.

23 As long as you successfully complete the first 12
24 months of your probation, you do not need to report after
25 that. You will still be on probation, and you will still

CERTIFICATE

STATE OF GEORGIA
COUNTY OF FULTON

I, Angela Hughes, Certified Court Reporter, hereby certify that the foregoing pages constitute a true, correct, and accurate transcript of the testimony heard before me, an officer duly authorized to administer oaths, and was transcribed by me or under my supervision.

I further certify that I am a disinterested party to this action and that I am neither of kin nor counsel to any of the parties hereto.

In witness whereof, I hereby affix my hand on this, the 3rd day of February 2019.

Angela Hughes

Angela Hughes CCR, CVR-CM
5168-6055-0316-0320



Exhibit 7
Arrest Warrant

CRIMINAL ARREST WARRANT

GEORGIA, GWINNETT COUNTY
STATE OF GEORGIA

WARRANT NO. 17W09221
CASE NO. 17-45147

v.

Nathan Dee Crisp
DOB: 08/29/1962, Custody: No
Race: W, Sex: Male, Height: 5'4", Weight: 200, Hair: BRO
(Brown), Eyes: BRO (Brown)
1750 racquest club circle, LAWRENCEVILLE, GA, 30045

DATE 5-18-17
SERVED BY [Signature]
BADGE NUMBER 482
CASE NUMBER 17-45147

AFFIDAVIT

Personally appeared the undersigned prosecutor, Scott W. Schunk who, on oath, says that, to the best of the prosecutor's knowledge and belief, the above named accused, between 5/17/2017 08:15:00 PM and 5/17/2017 09:20:00 PM at 1750 racquest club circle, LAWRENCEVILLE, GA, 30045, GWINNETT COUNTY did commit the offense of Impersonating A Public Officer Or Employee (Felony) in violation of O.C.G.A. 16-10-23 - (CC 2659) and against State of GEORGIA and the laws of the State of GEORGIA. The facts of this affidavit for arrest are based on: Said Accused did falsely hold himself out as a peace officer with the intent to mislead another into believing that he is actually such officer. Prosecutor makes this affidavit that a warrant may be issued for the accused person's arrest.

Sworn to and subscribed before me this 18th day of May, 2017, at 07:35:12 PM

[Signature]
Judge: Kenneth A Parker

Magistrate Court of GWINNETT COUNTY

[Signature]
Prosecutor: Scott W. Schunk

Badge: B487

Agency: Gwinnett County Police

STATE WARRANT FOR ARREST

To any Sheriff, Deputy Sheriff, Coroner, Constable or Marshal of this State - Greetings:
For sufficient cause made known to me in the above affidavit, incorporated by reference herein, and other sworn testimony, you are hereby commanded to arrest the accused Nathan Dee Crisp named in the above affidavit, charged by the prosecutor therein with the above offense(s) against the laws of this State at the time, place and manner named in the above affidavit, and bring the accused before me or another judicial officer of this State to be dealt with as the law directs. Herein fail not.

This 18th day of May, 2017, at 07:35:12 PM

[Signature]
Judge: Kenneth A Parker

Magistrate Court of GWINNETT COUNTY

ORDER FOR BOND

IT IS HEREBY ORDERED that the aforesaid accused, Nathan Dee Crisp, be and is hereby granted bail to be made with sufficient surety as approved by the Sheriff of GWINNETT COUNTY in the amount of Five Thousand Dollars \$5,000.00 to assure the presence of said accused at arraignment, trial and final disposition in the Superior Court / State Court of GWINNETT COUNTY.

Witness my hand and seal, this 18th day of May, 2017, at 07:35:12 PM

[Signature]
Judge: Kenneth A Parker

Magistrate Court of GWINNETT COUNTY

☒ FELONY
☐ MISDEMEANOR.
☐ IN CUSTODY

☐ FAMILY VIOLENCE
☐ SPECIAL CONDITIONS OF BOND

☐ PROBATION
☐ PAROLE

FILED IN OFFICE
CLERK SUPERIOR COURT
GWINNETT COUNTY
18 APR -3 PM 1:00
RICHARD ALEXANDER, CLERK

Exhibit 8
Judge Totenberg's Order

Doc 62

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN THE NAME OF THE UNITED
STATES SGT. NATHAN D. CRISP,

Plaintiff,

v.

THE STATE OF GEORGIA, *et al.*,

Defendants.

CIVIL ACTION NO.
1:21-cv-175-AT

ORDER

Plaintiff Nathan D. Crisp brings this action against thirteen Defendants, including the State of Georgia, Gwinnett County, multiple Gwinnett County judges, various prosecutors and county attorneys, an assistant attorney general for the State of Georgia, a former Gwinnett County clerk, and a federal judge.¹ Mr. Crisp's claims relate to his prosecution in state court for impersonating an officer and events surrounding that prosecution and adjudication. Now before the Court are four separate motions to dismiss [Docs. 14, 21, 27, 59] and two motion to strike [Doc. 60, 61].

¹ Mr. Crisp asserts that he is bringing the lawsuit "in the name of the United States." (Compl., Doc. 1-2 at 1.) Under Federal Rule of Civil Procedure 17, an action must be prosecuted in the name of the real party in interest. An action may only be brought in the name of the United States when a federal statute so provides. Mr. Crisp points to no appropriate federal statute. Therefore, the Court construes his complaint as brought in his name only.

If a party seeks to amend its pleading outside these time limits, it may do so only by leave of court or by written consent of the adverse party. Fed. R. Civ. P. 15(a)(2). Mr. Crisp did not seek to amend his complaint within 21 days of serving it or within 21 days after he was served with a motion to dismiss or responsive pleading. Mr. Crisp also did not seek leave of Court before filing an amended complaint and he did not receive Defendants' written consent to amend. The Court therefore **GRANTS** the State and County Defendants' Motions [Doc. 60, 61] and **STRIKES** the Amended Complaint [Doc. 58] as improperly filed without leave of Court, in violation of Fed. R. Civ. P. 15(a)(2).

Even if the Court were to construe Mr. Crisp's Amended Complaint as a motion seeking leave to amend the complaint, amendment would not be appropriate here. While courts should generally freely give leave to amend when justice so requires, *see Foman v. Davis*, 371 U.S. 178, 182 (1962), courts may deny leave to amend where the amendment will result in undue delay, bad faith, undue prejudice, a repeated failure to cure deficiencies by amendments previously allowed, or futility. *Id.* at 182; *Hall v. United Ins. Co. of Am.*, 367 F.3d 1255, 1263 (11th Cir. 2004) ("[D]enial of leave to amend is justified by futility when the complaint as amended is still subject to dismissal.") (quoting *Burger King Corp. v. Weaver*, 169 F.3d 1310, 1320 (11th Cir. 1999)). A complaint is futile, *inter alia*, if it would be subject to dismissal for failing to state a claim for which relief can be provided. *See Corsello v. Lincare, Inc.*, 428 F.3d 1008, 1015 (11th Cir. 2005) (affirming district court's denial of leave to amend a *qui tam* relator's FCA

complaint because proposed amendments “failed to plead specific instances of fraudulent submissions to the government”). Here, Mr. Crisp’s Amended Complaint is futile because it would still be subject to dismissal for the reasons articulated below, primarily related to various immunity doctrines available to the named Defendants who have appeared. Accordingly, Doc. 1-2 remains the operative complaint in this action.

The Court now outlines the factual background and addresses the motions to dismiss filed by the remaining Defendants.

III. Factual Background

On May 18, 2017, Mr. Crisp was arrested by Gwinnett County police officers for impersonating a public officer or employee in violation of O.C.G.A. § 16-10-23. (See Police Reports and Arrest Warrant, Doc. 1-2 at 57-61.)⁴ On March 29, 2018, Mr. Crisp was indicted by a grand jury in Gwinnett County. The bill of indictment alleges that Mr. Crisp

falsely [held] himself out as a public officer, to wit: a United States Air Force officer, by stating that he was an officer with the United States Air Force and presenting a badge that falsely identified him as a United States Air Force officer, with intent to mislead Officer S. Schunck with the Gwinnett County Police Department into believing that he was actually said officer, contrary to the laws of said State, the peace, good order and dignity thereof ...

(Grand Jury Indictment, Doc. 1-2 at 63-64.) The charges were brought by Daniel J. Porter, the former Gwinnett County District Attorney. (*id.*) Assistant District

⁴ Mr. Crisp attaches a number of relevant documents to his complaint, all as a single docket entry. (Doc. 1-2.) When referencing these additional documents, the Court identifies the document and cites the page number within Doc. 1-2.

Attorney (“ADA”) Ramona Toole prosecuted the case. (Complaint, Doc. 1-2 at 5, 8, 24.) Mr. Crisp’s case was assigned to Gwinnett County Superior Court Judge Warren Davis, Case No. 18-B-01208-10. (See Bill of Indictment, Doc. 1-2 at 64.)

During the pendency of his criminal case in Gwinnett County Superior Court, Mr. Crisp filed a federal lawsuit against Gwinnett County, District Attorney Porter, and the officers who arrested him.⁵ The lawsuit, which alleged several constitutional violations, was assigned to Federal District Court Judge Eleanor Ross. See *Crisp v. Gwinnett County, Ga. et al*, 1:18-cv-2619-ELR, Doc. 1 (N.D. Ga. May 29, 2018). In November 2018, Judge Ross entered an order staying the case in full, pending the outcome of Mr. Crisp’s state court criminal case, under the *Younger* abstention doctrine. *Id.* at Doc. 48 (explaining that, under *Younger v. Harris*, 401 U.S. 37, (1971), a federal court must refrain from enjoining pending state court proceedings that implicate important state interests where there is an adequate opportunity for the defendant to raise constitutional challenges in the state court proceeding).

Meanwhile, in the state court criminal proceeding before Judge Davis, Mr. Crisp — representing himself — filed a series of motions, for example a “Motion-Military Documents,” a “Request for Admission of Facts and Genuineness of Documents,” a “Motion to Authenticate and Identify Evidence,” and multiple motions to dismiss the charge against him. (Doc. 1-2 at 31, 47, 68-70.) Judge Davis denied these motions throughout summer and fall of 2018. (*Id.*)

⁵ The officers who arrested Plaintiff are not sued in the present action.

At some point, Mr. Crisp filed a petition for mandamus against Judge Davis with the Supreme Court of Georgia, invoking the original jurisdiction of that Court. This petition was docketed as Case No. S19O0186. Assistant Attorney General Brittanie Browning (“AAG Browning”) from the Georgia Attorney General’s Office represented Judge Davis before the Georgia Supreme Court. (See Letter from Browning to Clerk, Doc. 1-2 at 24-25.) In this capacity, AAG Browning sent the Clerk of the Supreme Court of Georgia a letter, notifying the Court of this representation and arguing that the petition should be dismissed. (*Id.*)⁶ The Georgia Supreme Court dismissed Mr. Crisp’s original petition for mandamus relief on September 27, 2018. See Georgia Supreme Court Docket Search, https://scweb.gasupreme.org:8088/results_one_record.php?caseNumber=S19O0186 (last accessed Nov. 10, 2021).⁷

On January 15, 2019, Mr. Crisp entered into a negotiated guilty plea to the felony charge of impersonating an officer. He was sentenced under Georgia’s First Offender Statute to three years of probation by Gwinnett County Superior Court Judge Laura Tate, sitting by designation for Judge Davis. The County Defendants attach Mr. Crisp’s plea disposition and the transcript from Mr. Crisp’s plea hearing

⁶ According to AAG Browning’s letter, Mr. Crisp asked the Supreme Court to *inter alia* order the dismissal of his underlying case, to order the recusal of Judge Davis, and order that Judge Davis’s prior orders be voided. (See Letter from Browning to Clerk of Supreme Court, Doc. 1-2 at 24-25.)

⁷ The Court takes judicial notice of the public docket information on the Georgia Supreme Court’s website. *Universal Express, Inc. v. U.S. S.E.C.*, 177 F. App’x 52 (11th Cir. 2006) (“Public records are among the permissible facts that a district court may consider.”); *Paez v. Secretary, Fla. Dep’t of Corrections*, 947 F.3d 649, 653 (11th Cir. 2020) (holding that district court could take notice of online state court dockets).

to their brief. (Doc. 19 at 29-32, 38-57.) The website for the Gwinnett County Courts also indicates that Mr. Crisp pled guilty on January 15, 2019.⁸ The Court thus takes judicial notice that Mr. Crisp pled guilty.⁹ In pleading guilty, Mr. Crisp stated on the record that he: understood the rights he was giving up in pleading guilty (including the right to trial by jury) (*id.* at 48); wished to be sentenced under the First Offender Act (*id.* at 51); wanted to enter a plea of guilty to the charge of impersonating an officer (*id.* at 52); made his decision freely and voluntarily (*id.*); and committed the offense alleged (*id.*).

In his Complaint, Mr. Crisp alleges that Judge Davis, Judge Tate, and ADA Toole “revoked” his right to a jury trial. (Compl., Doc. 1-2 at 8-9.) Specifically, Mr. Crisp alleges that he

confessed truthfully that he has an USAF Officer (Exhibit 1) and the Defendants considered this a criminal confession. [ADA] Toole and Judge Lauria[sic] Tate following Judge Davis’ Order and lead did not have a jury Pool to select juries with. Toole began the Plaintiffs trial Jan. 13, 2019. Toole did her opening statement, read the charges (was a USAF Officer) and confessed that Plaintiff at the same time confessed that Plaintiff was in the USAF and had served in Desert Storm. Toole passed right by the: selection or striking of a jury - no pool was available, Plaintiffs opening statement, Plaintiffs tendering of evidence and called on the witnesses to testify. Right in from of

⁸ See <https://odyssey.gwinnettcourts.com/Portal/Home/WorkspaceMode?p=0> (last accessed November 12, 2021)

⁹ The Court takes judicial notice of Mr. Crisp’s guilty plea transcript and disposition document as he does not dispute the accuracy of these documents and because they are not subject to reasonable dispute. *Colonial Penn. Ins. Co. v. Coil*, 887 F.2d 1236, 1239-40 (4th Cir. 1989) (taking judicial notice of guilty plea) (“The appellant’s motion contains copies of the guilty pleas that clearly show that [the defendant] pled guilty to arson.... We hold that these guilty pleas are ‘not subject to reasonable dispute,’ and that these records are properly subject to judicial notice pursuant to Fed. R. Evid. 201(b)(2).”); *U.S. v. Ferguson*, 681 F.3d 826, 834 (6th Cir. 2012) (same). Additionally, as stated above, courts may take judicial notice online state court dockets. *Paez v. Secretary, Fla. Dep’t of Corrections*, 947 F.3d 649, 653 (11th Cir. 2020).

Judge Lauria[sic] Tate who did not stop the obvious constitutional violations – 42 U.S. Code § 1986.

(*Id.* at 9.) This allegation contradicts the transcript of Mr. Crisp’s plea and also contradicts Mr. Crisp’s response brief where he acknowledges waiving his right to a jury trial, albeit noting that he waived his rights to “save his life.” (Pl. Resp., Doc. 18 at 12); *see also, Griffin Indus., Inc. v. Irvin*, 496 F.3d 1189, 1206-1206 (11th Cir. 2007) (“[W]hen the exhibits contradict the general and conclusory allegations of the pleading, the exhibits govern.”).

In the present action, Mr. Crisp alleges that all Defendants engaged in an “ex post facto” conspiracy to violate his state, federal, and international rights. (Compl., Doc. 1-2 at 2.) His Complaint mentions the First, Fifth, Sixth, and Fourteenth Amendments; a host of state criminal laws; federal laws including §§ 1983, 1985, and 1986; and state and federal racketeering laws. Mr. Crisp generally seeks to hold DA Porter accountable for his actions in prosecuting the case against him, including by allegedly violating his First Amendment rights in confiscating his purported United States Air Force badge. (*Id.* at 4, 9.) Mr. Crisp claims that Superior Court Judge Davis unlawfully “retro-dated” three orders on Mr. Crisp’s various motions to dismiss. (*Id.* at 6-7.) As noted above, Mr. Crisp alleges that Superior Court Judge Davis violated his Sixth Amendment right to a jury trial. (*Id.* at 8-9.)¹⁰

¹⁰ Even though he alleges that Judge Davis violated his rights to a jury trial, Mr. Crisp alleges that it was Judge Tate who was the presiding Judge on January 15, 2019 when he pled guilty under the First Offender Statute.

1271, 1279 (11th Cir. 2002). Prosecutors even have absolute immunity when “offering perjured testimony” and “suppressing exculpatory evidence.” *Hart*, 587 F.3d at 1295 (quoting *Henzel v. Gerstein*, 608 F.2d 654, 657 (5th Cir. 1979)). “While not undertaken literally at the direction of the court, these activities are so intimately associated with the judicial phase of the criminal process as to cloak the prosecutors with absolute immunity from suits for damages.” *Hart*, 587 F.3d at 1295 (quoting *Allen v. Thompson*, 815 F.2d 1433 (11th Cir. 1987)); *Imbler*, 424 U.S. at 430 (holding absolute immunity was available for prosecutor’s activities in initiating a prosecution and in presenting the state’s case because they were “intimately associated with the judicial phase of the criminal process”).

District attorneys are similarly entitled to prosecutorial immunity for actions arising under state law.

Pursuant to Art. VI, Sec. VIII, Par. I(e) of the Georgia Constitution of 1983, district attorneys have immunity from private actions “arising from the performance of their duties.” The rationale behind this immunity is that prosecutors, like judges, should be free to make decisions properly within the purview of their official duties without being influenced by the shadow of liability. Therefore, a district attorney is protected by the same immunity in civil cases that is applicable to judges, provided that his acts are within the scope of his jurisdiction.¹³ The determining factor appears to be whether the act or omission is “intimately associated with the judicial phase of the criminal process.”

¹³ In Georgia’s “criminal justice system, the district attorney represents the people of the state in prosecuting individuals who have been charged with violating [the] state’s criminal laws.” *State v. Wooten*, 543 S.E.2d 721, 723 (Ga. 2001). The district attorney “has broad discretion in making decisions prior to trial about who to prosecute, what charges to bring, and which sentence to seek.” *Id.*

sovereign immunity is ‘a personal privilege which it may waive at pleasure.’”) (quoting *Clark v. Barnard*, 108 U.S. 436 447 (1883)) (further detailing the “stringent” test to determine whether a State has waived its immunity from federal court jurisdiction). Third, a private litigant may bring a suit against a state officer for “prospective injunctive relief in order to end a continuing violation of federal law.” *Seminole Tribe*, 517 U.S. at 73 (citing *Ex Parte Young*, 209 U.S. 123 (1908)).

Here, Plaintiff has not articulated any legitimate waiver by the State of Georgia or Congressional override that would overcome the immunity afforded to the State. Nor does Plaintiff sue a state officer for prospective injunctive relief in order to end a continuing violation of federal law under the *Ex Parte Young* doctrine. Accordingly, all claims against the State of Georgia are **DISMISSED WITH PREJUDICE**.

E. Gwinnett County

Gwinnett County argues that Mr. Crisp’s claims against it are barred by: Plaintiff’s failure to provide the County with ante litem notice; the relevant statutes of limitations; the Supreme Court’s holding in *Heck v. Humphrey*, 512 U.S. 477 (1994); Plaintiff’s failure to pay any appropriate bond with respect to any Georgia RICO claims; county sovereign immunity, the *Monell* doctrine; failure to state a claim, and more. (See generally, County Brief, Doc. 19.) Plaintiff did not file a response to Gwinnett County’s brief, but alleges in his Complaint that the defendants are not entitled to immunity.

unsupported by any particularized factual allegations.¹⁴ *Iqbal*, 556 U.S. at 680-82. Nor does Plaintiff provide factual allegations to support the existence of any joint agreement or conspiracy, “beyond vague and conclusory accusations.” *Grappell*, 847 F. App’x at 702. He therefore fails to state a claim under § 1985. As Plaintiff fails to plausibly allege a conspiracy under § 1985, he also fails to state a claim under § 1986. *Id.*¹⁵

To the extent that Plaintiff asserts any state law claims against Gwinnett County, he has not demonstrated that he complied with state ante litem notice requirements. See O.C.G.A. § 36-11-1 (“All claims against counties must be presented within 12 months after they accrue or become payable or the same are barred . . .”). Further, counties in Georgia are entitled to sovereign immunity unless that sovereign immunity has been waived by statute. See *Gilbert v. Richardson*, 452 S.E.2d 476, 479 (Ga. 1994); O.C.G.A. § 36-1-4. Plaintiff has articulated no viable basis for the waiver of Gwinnett County’s sovereign immunity. Further, to the extent Plaintiff seeks transcripts from his state court action or the return of property used as evidence in his state-court case, this Court is not the appropriate venue. In connection with these concerns, the Court refers Plaintiff to the Georgia Open Records Act, see O.C.G.A. § 50-18-71 (outlining process for requesting public records), and Georgia’s statute on disposition of evidence in criminal cases, see O.C.G.A. § 17-5-55 (detailing protocols for evidence retention, return, and

¹⁴ Plaintiff also provides no argument or authority that a plaintiff can bring a § 1985 claim based on anti-military animus.

¹⁵ For these reasons, Plaintiff fails to state a claim under § 1985 as to any other Defendant as well.

disposition). Plaintiff's claims against Gwinnett County are **DISMISSED WITH PREJUDICE**.

F. County Attorney Williams

County Attorney Williams argues that the claims against her should be dismissed because she is entitled to state law official immunity and federal qualified immunity. (County Def. Mot. at 14-17.) Plaintiff did not respond to County Attorney Williams's argument, but alleges generally in his Complaint that the defendants are not entitled to sovereign or qualified immunity.

As best the Court can glean, Mr. Crisp sues County Attorney Williams in connection with her representation of Gwinnett County in Plaintiff's federal civil case before Judge Ross. In that action, Plaintiff moved to authenticate and identify evidence, specifically his purported military records. *See Crisp v. Gwinnett County, Ga. et al*, 1:18-cv-2619-ELR, Doc. 21 (N.D. Ga. Aug. 8, 2018). In representing the County, Attorney Williams filed a response to Plaintiff's motion, requesting that the Court deny Plaintiff's motion as not properly supported and also arguing that the request to authenticate evidence was premature. *Id.* at Doc. 26; (see also Williams's Response, Doc. 1-2 at 33-36.) Plaintiff alleges that, by these actions, County Attorney Williams engaged in an ex post facto conspiracy to violate his rights.

First, to the extent Plaintiff brings any state law claims, County Attorney Williams is entitled to official immunity for any actions taken in her representation of Gwinnett County in Mr. Crisp's previous suit. "The doctrine of official immunity.

immunity for any federal claims brought against her. Mr. Crisp's claims against Attorney Williams are **DISMISSED WITH PREJUDICE**.

VI. Conclusion

As detailed herein, Plaintiff failed to properly serve Defendants ADA Toole, Clerk Alexander, Judge Ross, Judge Tate, Judge Parker, Judge Miles, and County Attorney Pritchett. The claims against these seven Defendants are a **DISMISSED WITHOUT PREJUDICE**. Judge Ross's First Motion to Dismiss [Doc. 27] is **GRANTED WITHOUT PREJUDICE**. Her Second Motion to Dismiss the Amended Complaint [Doc. 59] is **DENIED AS MOOT**. The State and County Defendants motions to strike [Docs. 60, 61] are **GRANTED**, and Plaintiff's Amended Complaint [Doc. 58] is **STRIKEN**. The State Defendants' Motion to Dismiss [Doc. 14] is **GRANTED WITH PREJUDICE IN FULL**. The County Defendants' Motion to Dismiss [Doc. 21] is **GRANTED WITH PREJUDICE IN FULL**. All claims against Defendants State of Georgia, Gwinnett County, Judge Davis, DA Porter, AAG Browning, and County Attorney Williams are **DISMISSED WITH PREJUDICE**. The Clerk is **DIRECTED** to close the case.

IT IS SO ORDERED this 15th day of November 2021.



Honorable Amy Totenberg
United States District Judge

Exhibit 8.1
Totenberg's Final Order

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN THE NAME OF THE UNITED STATES
SGT. NATHAN D. CRISP,

Plaintiff,

vs.

THE STATE OF GEORGIA, et al.,

Defendants.

CIVIL ACTION FILE

NO. 1:21-CV-00175-AT

AMENDED JUDGMENT

This action having come before the court, Honorable AMY TOTENBERG, United States District Judge, for consideration of defendants' motions to dismiss, and the court having granted said motions, it is

Ordered and Adjudged that the action be, and the same hereby is, dismissed without prejudice as to Defendants ADA Toole, Clerk Alexander, Judge Ross, Judge Tate, Judge Parker, Judge Miles, and County Attorney Pritchett, and with prejudice as to Defendants State of Georgia, Gwinnett County, Judge Davis, DA Porter, AAG Browning, and County Attorney Williams.

Dated at Atlanta, Georgia, this 1st day of December, 2021.

KEVIN P. WEIMER
CLERK OF COURT

By: s/Velma Shanks
Deputy Clerk

Prepared, Filed, and Entered
in the Clerk's Office
December 1, 2021
Kevin P. Weimer
Clerk of Court

By: s/ Velma Shanks
Deputy Clerk

Exhibit 9

AGA Browning



GEORGIA DEPARTMENT OF LAW

40 Capitol Square SW
Atlanta, Georgia 30334-1300

CHRISTOPHER M. CARR
ATTORNEY GENERAL

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404-656-5555
Fax 404-657-9932

September 26, 2018

Ms. Therese "Tee" Barnes
Clerk of the Supreme Court of Georgia
244 Washington Street
Room 572, State Office Annex Building
Atlanta, Georgia 30334

Re: *Nathan D. Crisp v. Warren Davis, Judge*
Supreme Court of Georgia, Case No. S19O0186

Dear Ms. Barnes:

The Court has provided a copy of the docketing notice and filing in the above-styled action to the Honorable Warren Davis, Superior Court Judge for the Gwinnett Judicial Circuit. Our office represents Judge Davis in this matter. The action is a petition for mandamus invoking the original jurisdiction of the Supreme Court of Georgia. Mr. Crisp seeks the following relief from this Court: an injunction, dismissal of his underlying criminal case, recusal of Judge Davis, voiding all of Judge Davis's prior orders in the criminal case, mandating compliance with the law regarding military discharge documentation, and forbidding Judge Davis from making Mr. Crisp "testify against himself." However, Mr. Crisp does not include any argument in his petition for the Court to grant these extraordinary remedies, nor does he argue why he should not avail himself of the alternative remedies available to him through the course of litigating the underlying criminal case.

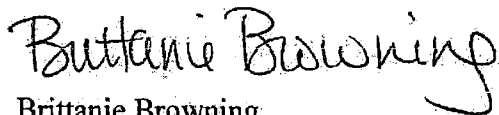
An invocation of this Court's original jurisdiction against a sitting superior court judge is improper absent extraordinary circumstances, none of which are present here. The petition for mandamus should be dismissed based on this Court's prior precedent. *See Brown v. Johnson*, 251 Ga. 436, 436 (1983) ("Generally, the superior courts of this state have the power, in proper cases, to issue process in the nature of mandamus...and hence the need to resort to the appellate courts for such relief by petition filed in the appellate courts will be extremely rare."); *Hackney v. Prior*, 260 Ga. 268 (1990); *see also Gay v. Owens*, 292 Ga. 480, 480 (2013) (holding that the Supreme Court will not consider original petitions absent extraordinary circumstances).

Ms. Therese "Tee" Barnes

Page 2

Because the current petition fails to articulate any proper basis for invoking this Court's original jurisdiction, our office would like to communicate to the Court that we are not planning to file any responsive pleadings at this time. However, if the Court should indicate that such a response would be beneficial to the resolution of this matter, then our office stands ready to file a responsive pleading on Judge Davis's behalf.

Sincerely,

A handwritten signature in cursive script that reads "Brittanie Browning". The signature is written in dark ink and is positioned above the printed name and title.

Brittanie Browning
Assistant Attorney General

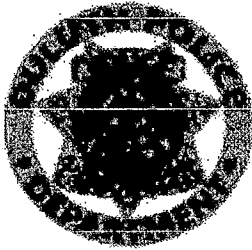
cc: Judge Warren Davis

Nathan D. Crisp
1750 Racquet Club Circle
Lawrenceville, Georgia 30043

Exhibit 10

Exhibit 10

GC Criminal Records Check



DULUTH POLICE DEPARTMENT
 3276 BUFORD HWY
 DULUTH, GA 30096
 PHONE: 770-623-2771

CRIMINAL HISTORY RECORD CHECK CONSENT FORM

Nathan D. Crisp

Full Name Printed

(Nombre Completo)

Any other last names used

(Otros apellidos usados)

1750 Racquest Club Circle Lawrenceville GA 30043

Full Address

(Dirección completa)

08/29/1962

251-31-9984

Date of Birth (Fecha de nacimiento)

Social Security Number (Número de seguro social)

Conway, SC

Place of Birth

(Lugar de Nacimiento)

Male

W - White

Sex (Sexo)

Race (Raza)

Nathan Crisp

04/06/2022

Signature (Firma)

Date (Fecha)

**** THIS AUTHORIZATION IS VALID FOR SIXTY (60) DAYS FROM THE DATE OF SIGNATURE ****

Reason for criminal records check (check all that apply):

- ☐ Providing care to children (Proveer cuidado para niños/as) (Purpose code "W")
- ☐ Providing care to the elderly (Proveer cuidado para los ancianos) (Purpose code "N")
- ☐ Providing care to mentally ill (Proveer cuidado para enfermos mentales) (Purpose code "M")
- ☒ Personal (Uso personal) _____ (Purpose code "U")
- ☐ Any other job/reason (Otra razón) _____ (Purpose code "E")

Requestor's / Company Name: _____

I authorize the Duluth Police Department to obtain any Criminal History Record information pertaining to me, which may be in the files of the State of Georgia Information Center (GCIC). I release all persons, including government agencies from any liabilities or damages for having furnished such information in good faith. A telephonic facsimile or photographic copy of this authorization shall be as valid as the original.

RESULTS

☐ No Criminal Record on File

☒ Criminal Record on File (See Attached)

CERTIFIED COPY

SID # **GA4693116E**

DULUTH POLICE DEPT.

RECORDS DIVISION

Marianne Anderson

Record Technician

1308

Badge Number

04/06/2022 11:26

Date

.DULX-02129311 GA-CCH 20220406 11:25:29 20220406 11:25:29 OEC50FDFDD

Georgia Crime Information Center
3121 Panthersville Road
Decatur, GA 30037
(404) 244-2639

***** CRIMINAL HISTORY RECORD *****

Produced on 2022-04-06

***** Introduction *****

This rap sheet was produced in response to the following request:

State Id Number GA4693116E (GA)
ARN PERSONAL
Purpose Code U
Attention NCRISP/MA

The information in this rap sheet is subject to the following caveats:

**THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2022-04-06
(GA; 2007-08-11)

Important! Criminal history record information is obtained one of two ways: 1) by conducting an inquiry using personal identifiers such as name and date of birth (name search), or 2) by submitting fingerprint cards to the Georgia Crime Information Center (GCIC). When conducting a name search for criminal history record information, there is a possibility that the information returned belongs to a different person with the same, or similar, identifiers. In this case, a positive match of the person whose criminal history record is sought requires submission of fingerprint cards to GCIC. When conducting a fingerprint search for criminal history record information, the information returned does, in fact, belong to the individual. In this case, conducting a name search using the individual's personal identifiers would be the same information. (GA; 2007-08-11)

When the information contained in a criminal history report causes an adverse employment or licensing decision the individual, business or agency making the decision must inform the applicant of all information pertinent to the decision. The disclosure must include information that a criminal history record check was conducted, the specific contents of the record and the effect the record had upon the decision. Failure to provide all such information to the person subject to the adverse decision is a misdemeanor offense under Georgia law. Additionally, any unauthorized dissemination of this record or information herein also violates Georgia law. The plea of nolo contendere may be considered a conviction for some purposes; however, except as otherwise provided by law, it shall not be used against the defendant in any other court as a conviction or admission of guilt or for the purpose of effecting any civil disqualification of the defendant to hold public office, to vote, to serve upon any jury, or any other civil disqualification imposed upon a person convicted of any offense under the laws of this state. (GA; 2007-08-11)

In the event that identifiers are not clearly associated to a specific cycle, the information is most likely non-fingerprint based information received from the Department of Corrections at the time of release from incarceration. (GA; 2007-08-11)

***** IDENTIFICATION *****

Subject Name(s)

CRISP, NATHAN DEE (2017-05-19)

Subject Description

State Id Number
GA4693116ESocial Security Number
251319984 (2017-05-19)Sex
Male (2017-05-18) Race
White (2017-05-18)Height
5'04" (2017-05-18) Weight
230 (2017-05-18) Date of Birth
1962-08-29 (2017-05-19)Hair Color
Brown (2017-05-18) Eye Color
Brown (2017-05-18)Place of Birth
SOUTH CAROLINA (2017-05-18)

***** CRIMINAL HISTORY *****

===== OTN 88408589953 (Cycle 1 of 1) =====

Offender Tracking Number (OTN)	88408589953
Earliest Event Date	2017-05-18
Offense Date	2017-05-17

Arrest	(Cycle 1)
Arrest Date	2017-05-18
Case Number	99559018
Arresting Agency	GA0670200 GWINNETT COUNTY POLICE DEPARTMENT
Subject's Name	CRISP, NATHAN DEE
Arrest Type	Adult

Charge	1
Charge Tracking Number	88408589953-1
Charge Literal	IMPERSONATING A PUBLIC OFFICER OR EMPLOYEE
Statute	16-10-23; GA
NCIC Offense Code	2604
State Offense Code	2659
Severity	Felony

Prosecutor Disposition	(Cycle 1)
Prosecutor Agency	GA067015A GWINNETT JUDICIAL CIRCUIT DISTRICT ATTORNEY
Subject's Name	CRISP, NATHAN DEE

Charge	1
Charge Tracking Number	88408589953-1
Charge Literal	IMPERSONATING A PUBLIC OFFICER OR EMPLOYEE
Statute	16-10-23; GA
NCIC Offense Code	2604
State Offense Code	2659
Severity	Felony
Disposition	INDICTED (2018-02-13; Other)

Court Disposition	(Cycle 1)
Case Number	18-B-01208-10
Court Agency	GA067015J GWINNETT COUNTY SUPERIOR COURT
Subject's Name	CRISP, NATHAN DEE

Charge	1
Charge Tracking Number	88408589953-1
Charge Literal	IMPERSONATING A PUBLIC OFFICER OR EMPLOYEE
Statute	16-10-23; GA
NCIC Offense Code	2604
State Offense Code	2659
Severity	Felony

Disposition FIRST OFFENDER ACT (O.C.G.A. 42-8-60)
(2019-01-15; Deferred)

***** INDEX OF AGENCIES *****

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* * * END OF RECORD * * *

Exhibit 11

VA Medical ID Card and Georgia Veterans Tag

